HAND-BOOK

FOR

BRITISH BURMA,

COMPILED BY

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OF BRITISH BURMA

PUBLISHED BY AUTHORITY

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BENGAL SECRETARIAT

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CORRIGENDA.

Page	3	Line	8	For *30th December* read *13th December.*
,,	40	,,	16	For *30th December* 1865 read *30th December* 1864.
,,	60	,,	12	For *Yau-thit* read *Yua-thit.*
,,	60	,,	11 and 12 from bottom	For *Kau Mopoon* read *Kali-Mopoon.*
,,	88	,,	17	For *lest* read *least.*
,,	95	,,	14	For *bought* read *brought.*
,,	96	,,	8 from bottom	For *forever* read *for ever.*
,,	99	,,	4 in margin	For *Agust* read *August.*
,,	144	,,	3 from bottom	For *acre* read *dha.*
,,	144	,,	4 from bottom	For *Martaben* read *Martaban.*
,,	150			To the "remarks" "in tree assessment table" add the following :—*Palm trees which after having come to maturity are not worked, that is, from which no juice is extracted, will be taxed at the annual rate of a quarter anna per tree.*
,,	156	,,	16	After words "*intend to cultivate themselves*" insert *or pay the fallow land tax on.*
,,	156	,,	27	After words "*not to cultivate*" insert *the land, or pay the fallow land tax on it, or cause it to be cultivated.*
,,	187			For rule 15 of five per cent. cess rules substitute the following :—"*The amount of commission payable to Thoogyees upon the local cess collections is ten* (10) *per cent. on all such collections up to rupees* 6,000 *within the year. If the local cess collections exceed that amount, half the above rate of percentage will be allowed on the surplus.*"

,,	315	,,	6	For *30th September* 1866 read *30th September* 1865.
,,	317	,,	16	For "*Custom house wharf rules*" read *Custom house wharf rules Rangoon.*
,,	339	,,	9	For *are derived* read *is derived.*
,,	408		last sentence at bottom of page	Dele. "*The want of this care was the cause of much complaint last year.*"
,,	409	,,	10 from bottom	Dele. "*to me.*"
,,	421	,,	2	After the word "*Maulmain*" add *made subject to Act XXII of* 1855.
,,	446	,,	2 in margin from bottom	For *Pilots* read *Pilot boats.*
,,	466	,,	11	For *supercede* read *supersede.*
,,	447	,,	1 and margin	For *supercede* read *supersede.*
,,	484	,,	18	For *with* read *without.*

The reader is requested to begin by making these corrections.

PART I.—INTRODUCTORY.

MINUTE

BY THE CHIEF COMMISSIONER OF BRITISH BURMA,

Dated 10th February 1862.

In pursuance of the Resolution of His Excellency the Governor-General in Council, dated 31st January 1862, whereby the Burmese provinces of British India are formed into the province of British Burma under a Chief Commissioner, it becomes necessary to indicate the departments of the public service, which will remain under the direct control of the Chief Commissioner, and those, which, until further orders, will still continue under the immediate orders of the Commissioners of divisions. Preamble.

Under the Chief Commissioner's control there will be the following departments:— Departments under Chief Commissioner's control.

1. Department of Public Works, in which the Chief Engineer is *ex-officio* Secretary.

2. All arrangements and correspondence with the General commanding the division, relative to military affairs.

3. Forests.

4. Police.

5. Prisons.

6. Port Blair.

7. Communication with the Burmese Government.

8. Marine.

Departments under control of Commissioners of division.

Under the Commissioners of divisions, there will be the following:—

1. Judicial.
2. Revenue.
3. Medical.
4. Customs.
5. Education.
6. Settlement of land revenue.
7. Municipal affairs and local funds.
8. Port affairs.
9. Communications with the Karennee States (Pegu), with various Shan States (Tenasserim), and with petty independent frontier tribes (Arakan.)

Communications with Consuls at the several ports, should generally be through the Commissioner of the division.

PART II.—POLITICAL.

TREATY WITH THE KING OF BURMA.

No. 268.

POLITICAL.

Fort William, the 30th April 1863.

The following treaty concluded with His Majesty the King of Burma on the 10th November 1862, and ratified on the 30th December following, together with a schedule of duties to be levied by the Burmese Government on the frontier, is published for general information.

By order of the Hon'ble the President in Council.

E. C. BAYLEY,
Offg. Secy. to the Govt. of India.

TREATY WITH THE KING OF BURMA, DATED 10TH NOVEMBER 1862.

On the 10th day of November 1862, answering to the 5th day of the waning moon Tatshoungmon 1224, Lieutenant-Colonel A. P. Phayre, Chief Commissioner of British Burma, having been duly empowered by His Excellency the Right Hon'ble the Earl of Elgin and Kincardine, K.T., and G.C.B., Viceroy and Governor General of India, and Woongyee Thado Mengyee Maha Menghla-thee-ha-thoo having been duly empowered by His Majesty the King of Burma, concluded the following treaty :—

ARTICLE 1.

The Burmese and British rulers have for a long time remained at peace and in friendship; peace shall now be extended to future generations, both parties being careful to observe the conditions of a firm and lasting friendship.

ARTICLE 2.

In accordance with the great friendship existing between the two countries, traders and other subjects of the Burmese Government who may travel and trade in the British territory, shall, in conformity with the custom of great countries, be treated and protected in the same manner as if they were subjects of the British Government.

ARTICLE 3.

Traders and other subjects of the British Government who may travel and trade in the Burmese territory shall, in accordance with the custom of great countries, be treated and protected in the same manner as if they were subjects of the Burmese Government.

ARTICLE 4.

When goods are imported into Rangoon from any British or foreign territory, and declared to be for export by the Irrawaddy river to the Burmese territory, the English ruler shall, provided bulk is not broken, and he believes the manifest to be true, charge one per cent. on their value, and, if he so desires, shall allow them to be conveyed under the charge of an officer until arrival at Maloon and Menhla. The tariff value of goods shall be forwarded yearly to the Burmese ruler. If such goods are declared for export to other territories, and not for sale in the Burmese territories, the Burmese ruler shall, if he believes the manifest to be true, not cause bulk to be broken, and such goods shall be free of duty.

ARTICLE 5.

When goods are imported into Burma by persons residing in the Burmese or any foreign territory, and declared to be for export by the Irrawaddy river to Rangoon, the Burmese ruler shall, provided bulk is not broken, and he be-

lieves the manifest to be true, charge one per cent. on their value, and, if he so desires, shall allow them to be conveyed under the charge of an officer to Thayetmyo, and the tariff value of such goods shall be forwarded yearly to the British ruler. If such goods are declared for export to other territories, and not for sale in British territory, such goods shall be free according to the customs schedule, but goods liable to sea-board duty will pay the usual rate.

ARTICLE 7.

Traders from the British territory who may desire to travel in the Burmese territory, either by land or by water, through the whole extent of the Irrawaddy river, shall conform to the customs of the Burmese territory, and shall be allowed to travel in such manner as they please without hindrance by the Burmese ruler, and to purchase whatever they may require. British merchants will be allowed to settle and to have lands for the erection of houses of business in any part of the Burmese territory.

ARTICLE 8.

Should the British ruler within one year after the conclusion of this treaty, abolish the duties now taken at Thayetmyo and Toung-oo, the Burmese ruler, with a regard to the benefit of the people of his country, will, if so inclined, after one, two, three, or four years, abolish the duties now taken at Maloon and Toung-oo [in the Burmese territory.]

ARTICLE 9.

People from whatever country or nation who may wish to proceed to the British territory the Burmese ruler shall allow to pass without hindrance. People from whatever country who may desire to proceed to the Burmese territory the

British ruler shall allow to pass without hindrance.

L. S. (Sd.) ARTHUR PURVIS PHAYRE, Lt.-Col.
Appointed by the Viceroy and Governor-General.

L. S. (Sd.) WOONGYEE THADO MENGYEE,
MAHA MENGHLA-THEE-HA-THOO,
Plenipotentiary to His Majesty the King of Burma.

Ratified by His Excellency the Viceroy and Governor-General in Council on the 13th December 1862.

Schedule of customs duties to be charged on goods imported into or exported from the Burmese territory from or to the sea-board other than goods entering or passing under articles 4 and 5 of the treaty with the Viceroy of India, dated the 13th December 1862.

IMPORT TARIFF.

Goods brought by sea from the western countries such as—

Cloths and piece goods.
Glass ware.
Iron ware.
Crockery, medicines.

Provisions and all other articles will pay an *ad valorem* duty of 10 per cent.

EXPORT TARIFF.

Goods such as those entered below exported from any part of the Burmese territory will pay an export duty of six per cent. *ad valorem.*

Timber.	Ginger.
Planks.	Small mats.
Stick lac.	Large ditto for house partitions.
Ivory.	

Wax.
Arsenic.
Copper.
Raw silk.
Chinese copper coin.
Sulphur.
Lead.
Honey.
Paper.
Tinsel.
Colored paper.
Iron pots.
Wood oil.
Dammer.
Bark of trees.
Varnish.
Jars.
Sapan wood.
Coloring powder.
Sugar.
Ghee.
Tea.
Gold leaf.
Rough smelted iron.
Wheat.
Beans and peas of all sorts.
Sessamum seed.
Wood poles.
Bamboo.
Rattan.
Roofing straw or grass.
Yarns of sorts.
Roots ditto.
Fruits.
Wild silky cotton.
Priests' utensils.
Petty ditto for personal use.
Soap.
Lime.
Earth oil.
Lacquered ware.
Iron ware.
Fuel.
Charcoal.
Salt.
Tobacco.
Chillies.
Onions and garlic.
Cutch.
Jaggery or raw sugar.
Tamarind.
Raw cotton.
Cotton piece goods.

Silk dress pieces will pay an *ad valorem* duty of two and a half per cent.

(true translation.)

(Sd.) A. P. PHAYRE,
Chief Commissioner,
British Burma.

THAYETMYO,
The 10th February 1863.

NOTE.—The above rates of duty are liable to revision after due notice.

ACT No. IV of 1863.

Passed by the Governor-General of India in Council.

(*Received the assent of the Governor-General on the 29th January* 1863.)

An Act to give effect to certain provisions of a treaty between His Excellency the Earl of Elgin and Kincardine, Viceroy and Governor-General of India, and His Majesty the King of Burma.

Preamble.

Whereas a treaty has been negotiated between His Excellency the Earl of Elgin and Kincardine, Viceroy and Governor-General of India, and His Majesty the King of Ava, and in the 4th and 8th articles of the said treaty it is stipulated and agreed as follows :—

Article 4th. "When goods are imported into "Rangoon from any British or foreign territory, "and declared to be for export by the Irrawaddy "river to the Burmese territory, the English "ruler shall, provided bulk is not broken, and "he believes the manifest to be true, charge "one per cent. on their value, and if he so desires "shall allow them to be conveyed under the "charge of an officer until arrival at Maloon and "Menhla. The tariff value of goods shall be for-"warded yearly to the Burmese ruler. If such "goods are declared for export to other territo-"ries and not for sale in the Burmese territories, "the Burmese ruler shall, if he believes the "manifest to be true, not cause bulk to be bro-"ken and such goods shall be free of duty.

Article 8th. "Should the British ruler within "one year after the conclusion of this treaty "abolish the duties now taken at Thayetmyo "and Toung-oo, the Burmese ruler with a re-

"gard to the benefit of the people of his country "will, if so inclined, after one, two, three, or four "years abolish the duties now taken at Maloon "and Toung-oo (in the Burmese territory)."

And whereas it is necessary to give effect to the stipulations and engagements aforesaid by an Act to regulate the duties of customs at the port of Rangoon and elsewhere in conformity to such stipulations and engagements; It is enacted as follows:—

Duty on goods imported into Rangoon from British or foreign territory limited to one per cent. *ad valorem.*

I. When any goods are imported into Rangoon from any British or foreign territory whether under bond or otherwise, and declared by the importer thereof to be for export by the Irrawaddy river to the Burmese territory for sale therein, or for export through such territory for sale in other territories, such goods may be entered at the custom house at Rangoon for such export and sale, and thereupon a duty of customs of one per cent. *ad valorem* and no more, shall be charged, provided that bulk of such goods is not broken, and the officer in charge of the custom house is satisfied of the truth of the entry of such goods in the manifest of the vessel wherein such goods are brought to Rangoon.

Conveyance of goods imported as above to Maloon and Menhla.

II. Whenever any goods are entered at the custom house at Rangoon under the last preceding section such goods may be conveyed to Maloon and Menhla under charge of an officer to be appointed for the purpose, and the officer so appointed to the charge of such goods shall be held to be a public servant within the meaning of section 186 of the Indian Penal Code.

Governor-General may discontinue duties now taken at Thayetmyo and Toungoo.

III. It shall be lawful for the Governor-General of India in Council by a notification to be published in the *Calcutta Gazette*, to order the discontinuance of the duties or any of them now levied at Thayetmyo and Toung-oo, and subsequently, if he shall see fit, by a like notification

to order that such duties or any of them shall be revived and re-imposed, and any order made and published under this section shall have the force of law.

Commencement of Act.

IV. This Act shall take effect from the time when the ratifications of the said treaty are exchanged.

ACT No. XII OF 1864.

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor-General on the 18th March 1864.)

An Act to give further effect to the provisions of Act IV of 1863 (to give effect to certain provisions of a treaty between His Excellency the Earl of Elgin and Kincardine, Viceroy and Governor-General of India, and His Majesty the King of Burma).

Preamble.

WHEREAS it is necessary to provide for the more effectual carrying out of the provisions of Act IV of 1863 *(to give effect to certain provisions of a treaty between His Excellency the Earl of Elgin and Kincardine, Viceroy and Governor-General of India, and His Majesty the King of Burma)*; It is enacted as follows:—

Governor-General in Council may pass rules to give effect to Act IV of 1863.

I. It shall be lawful for the Governor-General of India in Council to make and issue rules to give effect to the said Act IV of 1863, and regulate all matters relating to the import and export of goods or otherwise arising under that Act: and from time to time to add to, alter or revoke such rules or any of them. Provided that no rule so made shall be inconsistent with any provision of the said Act IV of 1863, and that the penalties prescribed in such rules for their infringement shall not exceed, and shall so far as circumstances will admit be the same as, or simi-

Proviso.

lar to, the penalties prescribed in the like cases by Act VI of 1863 *(to consolidate and amend the laws relating to the administration of the department of sea customs in India)*. All rules made under this section shall be published in the *Gazette of India*.

II. Every Collector of customs, or other officer, is hereby indemnified for every thing done on or after the date on which the said Act IV of 1863 came into operation, in collecting or enforcing the duty imposed under the provisions of that Act, or by virtue of any order of Government or otherwise in carrying the said Act IV of 1863 into effect: and no action or other proceeding shall be maintained against any such Collector or other officer in respect of any thing so done. Indemnity.

RULES RELATIVE TO GOODS IMPORTED INTO RANGOON,

Under article 4 of the treaty with Burma.

1. Goods imported into Rangoon which are liable to an import duty if intended to be for export by the Irrawaddy river to the Burmese territory for sale therein, or pass through it for sale in countries beyond, may be placed in bond liable to the ordinary rules for bonded goods, and when declared to be for export as above mentioned, shall be liable to the duty expressed in Act IV of 1863.

2. When goods are so declared for export, a manifest thereof in the same form as that used for goods arriving by sea, shall be delivered by the owner, agent or consignee to the Collector of customs, and if they are in a closed box or package, the Collector of customs may open the same to compare the contents with the manifest, or may receive such box or package and stamp

or mark the same in such conspicuous and indelible manner as may hereafter be directed, and shall assess the same for duty at one per cent. *ad valorem.*

3. Should the said goods not be required to be shipped within twenty-four hours after such assessment to be sent up to the Irrawaddy, they must remain in charge of the Collector of customs, who shall direct them to be put into the bonded warehouse. Should the owner of such goods not desire that they should be placed in the bonded warehouse, although they may be intended to be kept before shipment for more than twenty-four hours he can retain them in his own charge on paying the full duty to which they would be liable if not declared to be for export under rule 1.

4. Goods, once declared for export under rule 1, if afterwards required to be otherwise disposed of, can be so on payment of the full duty, to which they would have been liable if not declared for export under the said rule.

5. All goods bonded shall be liable to the rules laid down in Act XXV of 1836, and other Acts amending the same.

6. Goods not liable to import duty at Rangoon, can pass up the Irrawaddy river into the Burmese territory without an order, but if intended for export beyond that terrritory may be so declared and be packed up and marked accordingly as provided in rule 2.

7. No goods shall be shipped to go up the Irrawaddy beyond the British frontier under these rules except by an order from the Collector of customs in form A. annexed, such order, written both in English and Burmese, shall be delivered to the owner or person in charge of the goods, one copy shall be given to the custom house officer accompanying the goods, and one copy be

sent by the post to the Collector of customs or other officer of customs at Thayetmyo. A separate shipping order will be required for goods according to the place where they are declared for sale, whether in Burmese territory or elsewhere, beyond it. Any goods shipped or attempted to be shipped without such orders will be liable to be confiscated by the Collector of customs and the owner or consignee on conviction before a Magistrate, will be liable to pay a fine, not exceeding five hundred rupees for each offence.

8. In cases where it may not be considered necessary for a custom house officer to accompany goods from Rangoon up the Irrawaddy, the Collector of customs, Rangoon, may allow them to proceed without one, and the Collector of customs at Thayetmyo after satisfying himself, that goods arriving at the frontier custom house correspond with the entries in the shipping order A. will, also, after having satisfied himself that they have passed the frontier and reached the Burmese frontier custom house, grant a certificate to that effect. Such certificate must be produced to the Collector of customs at Rangoon within sixty days after the transit duty on such goods has been paid, and if not so produced, the party to whom the goods belong, or who has shipped them, will be liable to pay the full amount of duty which would have been charged had the goods not been declared for export beyond the British territory.

9. Should the Collector of customs consider any precaution necessary to secure the full amount of duty which may become due under the preceding rule, he may require security to the full amount of the difference between the transit and the ordinary import duty, such security to be returned on the production of the certificate from the Collector of customs, Thayetmyo.

10. The Collector of customs at Thayetmyo or any other custom house officer, or other person, authorized by him, or by the Collector of customs of Rangoon, may at a period of the transit of the goods up the Irrawaddy river, while in British territory, open the boxes or packages to ascertain whether they contain the goods as entered, in the shipping order or not. Should the goods not be found as so entered, the owner, consignee, or other party, who may have shipped the goods, shall be liable to the forfeiture declared in section 22 of Act XXV of 1836. And any person, who shall while the goods are in transit remove or efface a stamp, mark, or seal, affixed by any officer of customs to any box or package, or who shall change the outer cover of any box or package so marked, or change the contents or any part thereof, while the goods are in transit shall be liable to the forfeit declared in section 24 of Act XXV of 1836.

A.

Order for shipping goods declared for export beyond British territory by the Irrawaddy river.

Date

Nature of package, box, &c.	Mark.	Size in cubic feet.	Direction or address.	Contents of box or package.	On what vessel shipped, size and description of vessel or boat.	Name of Master of vessel.	Name and residence of person to whom order declared.	Date when order delivered.	Name of owner or shipper of the goods.	Amount of duty paid in Rangoon.	Goods declared for sale, where.

(Sd.) _____

Collector of Customs.

NOTE.—All shipping orders for goods declared for sale in countries beyond Burma will be printed on blue paper.

RULES FOR THE GUIDANCE OF BRITISH AND BURMESE TRAVELLERS.

Political Notification, 29th May.—His Excellency the Governor-General in Council is pleased to publish for general information, the following rules, prepared with reference to the case of British subjects travelling (under article 3 of the commercial treaty with Burma, dated 1st September 1827) within Burmese territories, and providing generally for the course to be pursued by British subjects, when meeting Burmese officials upon the public streets and roads of the Burmese capital, Mandelay.

These rules have been framed by the Chief Commissioner of British Burma, with the concurrence of the Government of Burma: and His Excellency in Council desires to impress upon persons travelling within Burmese territory the necessity of strictly observing them.

Recent experience has shown the need of a common code of rules, to which British and Burmese could alike refer; and persons neglecting to attend to the rules now published, will, in the event of complications, have no claim upon their Government for redress:—

RULES.

I.—British subjects desiring to travel through any of the towns and districts of the Burmese empire away from the river Irrawaddy, and not carrying a large number of arms, but travelling in the manner of merchants with four or five muskets only, will meet with no obstruction or impediment, and will be allowed to pass. But if any British subject desires to travel with a large number of muskets, say about ten or twelve, or

more, he must make an application to the Agent to the Chief Commissioner at Mandelay, who will submit it through the Ayebaing Woongyee for the sanction of the Minister of the Hlo Htaw. A passport will be then forwarded to the applicant, who will, in virtue thereof, be allowed to travel unrestrictedly.

II.—British subjects when meeting Burmese officials of rank preceded by lictors, on any of the roads within the four and eight divisions of the boundaries of the Royal Golden City, must in all cases shew due respect to such officials, either by taking off the hat, or saluting with the hand. In the event of persons not attending to this rule, the lictors will not be allowed to lay hand upon them, but a note will be taken of the occurrence, the person or persons will be identified and suitable orders will be issued, which shall be communicated to the Agent to the Chief Commissioner at the Royal Golden City.

III.—British subjects going to the capital of Burma, who may not know what Burmese officials are entitled to the above-mentioned marks of respect can receive full information from the Agent to the Chief Commissioner at Mandelay.

PART III.—JUDICIAL.

SECTION I.—CIVIL JUSTICE.

ACT No. I of 1863.

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor-General on the 15th January 1863).

An Act to define the jurisdiction and to regulate the procedure of the Courts of Civil Judicature in British Burma, and to provide for the extension of certain Acts to the said territory.

Preamble.

WHEREAS it is expedient to define the limits of the jurisdiction of the Courts of Civil Judicature in British Burma; and whereas it is also expedient that the Code of Civil Procedure should have effect throughout British Burma subject to certain alterations and provisos, and that provision should be made for extending the operation of certain Acts to the said territory; It is enacted as follows:—

Pegu Civil Code repealed.

I. The Code called the Civil Code of the province of Pegu is hereby repealed.

Grades of Civil Courts in British Burma.

II. There shall be six grades of Courts in British Burma, which shall be in addition to any Recorders' Courts, Courts of Small Causes, or other Courts established under any Act which may be hereafter passed, namely:—

1. The Court of the Extra Assistant of the third class, or the Myooke's Court.

2. The Court of the Extra Assistant of the second class, or the Tseekay's Court.

3. The Court of the Assistant Commissioner, and the Court of the Extra Assistant of the first class.

4. The Court of the Deputy Commissioner.

5. The Court of the Commissioner,

6. The Court of the Chief Commissioner.

Jurisdiction of Court of Extra Assistant of 3rd class, or Myooke's Court.

III. The Court of the Extra Assistant of the third class, or the Myooke's Court, shall have power to receive, try and determine suits of every description not exceeding 500 Rupees in value or amount.

Jurisdiction of Court of Extra Assistant of 2nd class, or Tseekay's Court.

IV. The Court of the Extra Assistant of the second class, or the Tseekay's Court, shall have power to receive, try and determine suits of every description not exceeding 3,000 Rupees in value or amount.

Jurisdiction of Court of Assistant Commissioner and of Court of Extra Assistant of 1st class.

V. The Court of the Assistant Commissioner and the Court of the Extra Assistant of the first class shall have power to receive, try and determine suits of every description not exceeding 5,000 Rupees in value or amount.

Jurisdiction of Court of Deputy Commissioner.

VI. The Court of the Deputy Commissioner shall have power to receive, try and determine suits of every description exceeding 5,000 Rupees in value or amount, and appeals from the decisions and, where an appeal is allowed by the Code of Civil Procedure, from the orders of the Courts of the Extra Assistants of the third class or the Myookes' Courts, of the Courts of the Extra Assistants of the second class or the Tseekays' Courts, and of the Courts of the Assistant Commissioners and Extra Assistants of the first class, in the District of such Deputy Commissioner.

Jurisdiction of Court of Commissioner.

VII. The Court of the Commissioner shall have power to hear and determine appeals from the original decisions, and, where an appeal is allowed by the Code of Civil Procedure or by this

Act, from the orders passed by the Courts of the Deputy Commissioners in the division of such Commissioner. The Commissioner may also receive a second appeal from the decisions of the Courts of the Deputy Commissioners in his division passed in regular appeal reversing or modifying the decision of the Court of original jurisdiction, on a point material to the merits of the case, if on a perusal of the grounds of appeal and of the judgments of the Courts below, copies of which judgments shall be filed with the petition of appeal, a further consideration of the case shall appear to him to be requisite for the ends of justice. The decision of the Commissioner on such second appeal, whether for confirming, modifying or reversing the decision of the lower appellate Court, shall be final, and no special appeal shall be allowed in such case to the Chief Commissioner from the decision either of the Deputy Comissioner passed in regular appeal, or of the Commissioner of the division passed on such second appeal. The rejection of an appeal by the Commissioner on a second appeal shall have the same effect as a confirmation of the decree of the lower Court.

Jurisdiction of Court of Chief Commissioner.

VIII. The Court of the Chief Commissioner shall, except as provided in the last preceding section and in section 18 of this Act, have power to hear and determine special appeals from the decisions passed in regular appeal by the Deputy Commissioners and by the Commissioners of divisions.

Court in which suit to be instituted.

IX. Every suit shall be instituted in the Court of the lowest grade competent to try it.

Transfer of suits.

X. It shall be lawful for the Deputy Commissioner to withdraw any suit instituted in any Court subordinate to such Deputy Commissioner, and to try such suit himself or to refer it for trial

to any other Court subordinate to his authority and competent in respect of the value of the suit to try the same. And it shall be lawful for the Chief Commissioner or for the Commissioner of a division to order that the cognizance of any suit or appeal which shall be instituted in any Court subordinate to such Chief Commissioner or Commissioner, shall be transferred to any other Court subordinate to his authority and competent in respect of the value of the suit or appeal to try the same.

Suits for immovable property situate in different districts.

XI. If the suit be for land or other immovable property situate within the limits of different districts within the same division, the suit may be brought in any Court otherwise competent to try it within the jurisdiction of which any portion of the land or other immovable property in suit is situate, but in such case the Court in which the suit is brought shall apply to the Commissioner of the division for authority to proceed with the same. If the suit is brought in any Court subordinate to the Court of the Deputy Commissioner, the application shall be submitted to the Commissioner of the division through the Deputy Commissioner to whom such Court is subordinate.

Suits for immovable property situate in districts subject to different Commissioners.

XII. If the districts within the limits of which the property is situate, are subject to different Commissioners, the application shall be submitted to the Commissioner to which the district, in which the suit is brought, is subject, and the Commissioner to which such application is made may, with the concurrence of the Commissioner to which the other district is subject, give authority to proceed with the suit.

Appeal to lie from all decisions except when expressly prohibited.

XIII. Except when otherwise provided in any Regulation or Act for the time being in force, an appeal shall lie from the decisions of the Courts of original jurisdiction to the Courts authorized

by this Act to hear appeals from the decisions of those Courts.

Memorandum of appeal to be presented to the appellate Court within specified time.

XIV. The memorandum of appeal prepared in the form and containing the particulars mentioned in the Code of Civil Procedure shall be presented in the Court empowered to hear the appeal, within the period hereinafter specified, unless the appellant shall show sufficient cause to the satisfaction of such Court for not having presented the memorandum of appeal within such period, that is to say, within thirty days if the appeal lie to the Court of a Deputy Commissioner, and six weeks if the appeal lie to a Commissioner of a division. The period shall be reckoned from and exclusive of the day on which the judgment appealed against was pronounced, and also exclusive of such time as may be requisite for obtaining a copy of the decree from which the appeal is made. Appeals from orders, when such appeal is allowed by the Code of Civil Procedure or by this Act, shall be presented within the same period as appeals from decisions.

Deputy Commissioner and Commissioner may confirm decision of lower Court appealed from without summoning the respondent.

XV. In cases of appeal preferred to a Deputy Commissioner under section 6, or to a Commissioner under section 7 of this Act, it shall not be necessary to summon the respondent in the first instance, and if upon the perusal of the judgment of the Court below, of the whole or any part of the record of the original suit, and of the petition of appeal in the presence of the appellant or of his duly constituted agent, the Deputy Commissioner or the Commissioner, as the case may be, shall see no reason to alter the decision appealed from, it shall be competent to him to confirm the same recording his reasons for rejecting the appeal. In such case the Deputy Commissioner or the Commissioner shall cause the order for confirmation to be made known to the respondent through the Court from whose decision the appeal was made.

Procedure as to second appeals.

XVI. Applications for a second appeal under section 7 of this Act shall be preferred in the manner and within the period prescribed in section 14 for regular appeals to the Commissioner of a division, and if the Commissioner shall see fit to admit any such second appeal, it shall be heard and determined in every respect as an ordinary regular appeal.

Applications for the admission of special appeals.

XVII. Applications for the admission of a special appeal, which the Chief Commissioner is empowered by section 8 of this Act to receive and determine, may be on any of the grounds specified in section 372 of the Code of Civil Procedure. The application shall be presented within ninety days reckoned from and exclusive of the day on which the judgment of the lower appellate Court was pronounced, and also exclusive of such time as may be requisite for obtaining a copy of the decree appealed against, unless the applicant shall show sufficient cause to the satisfaction of the Chief Commissioner for not having presented the application within such period. The application shall be subject to all the conditions, whether as regards stamp duty, remission of a portion thereof when the application is made in *formâ pauperis*, or otherwise, contained in the said Code in cases of application for the admission of a special appeal to the Sudder Court.

No special appeal from decision of any Court in suits cognizable in Small Cause Courts.

XVIII. No special appeal shall lie from any decision or order which shall be passed in regular appeal by any Court after the passing of this Act, in any suit of the nature cognizable in Courts of Small Causes under Act XLII of 1860, when the debt, damage, or demand for which the original suit shall be instituted shall not exceed the sum of five hundred rupees.

Reference of question to the Chief Commissioner.

XIX. If in any case of regular appeal in which under the last preceding section no special appeal is allowed, or in any case of second appeal

admitted under section 7 of this Act, any question of law or usage having the force of law, or the construction of a document affecting the merits of the case shall arise, on which the Court trying the appeal shall entertain reasonable doubts, the Court may, either of its own motion or on the application of either of the parties to the appeal, draw up a statement of the case, and submit such statement with its own opinion for the decision of the Chief Commissioner. The provisions contained in sections 29 to 34 of Act XXIII of 1861 *(to amend Act VIII of* 1859, *for simplifying the procedure of the Courts of Civil Judicature not established by Royal Charter)* shall be applicable to the statement so submitted, and the Chief Commissioner shall proceed in the case under the rules contained in the said sections for the direction of the Sudder Court so far as the same are applicable.

Applications to appeal in *formâ pauperis.*

XX. Applications to be allowed to appeal in *formâ pauperis* shall be written on stamp paper of the value of one rupee if the appeal lie to the Court of the Deputy Commissioner, and on stamp paper of the value of two rupees if the appeal lie to the Court of the Commissioner or to the Court of the Chief Commissioner, and shall be presented in the Court competent to receive the same within the period prescribed by this Act for the presentation of appeals from decisions, or when the application is made to the Chief Commissioner within the period prescribed by this Act for the presentation of an application for the admission of a special appeal.

On what grounds review of judgment may be applied for.

XXI. Any person considering himself aggrieved by a decree of a Court of original jurisdiction from which no appeal shall have been preferred to a superior Court, or by a decree passed in appeal from which no second or special appeal shall have been admitted, or by a decree of the Court

of the Chief Commissioner from which either no appeal shall have been preferred to Her Majesty in Council, or an appeal having been preferred, no proceedings in the suit shall have been transmitted to Her Majesty in Council, and who from the discovery of new matter or evidence which was not within his knowledge, or could not be adduced by him at the time when such decree was passed, or from any other good and sufficient reason, may be desirous of obtaining a review of the judgment passed against him, may apply for a review of judgment by the Court which passed the decree. Such application shall be presented within the period of ninety days from the date of the decree sought to be reviewed, unless the applicant shall show good and sufficient reason for not presenting it within such period.

Time for presentation of application for review.

Extension of certain Acts to British Burma.

XXII. Act XIX of 1841 *(for the protection of movable and immovable property against wrongful possession in cases of successions)*, Act XL of 1858 *(for making better provision for the care of the persons and property of minors in the presidency of Fort William in Bengal)*, and Act IX of 1861 *(to amend the law relating to minors)* are hereby extended to British Burma. All cases or proceedings arising under the said Acts or under Act XXXV of 1858 *(to make better provision for the care of the estates of lunatics not subject to the jurisdiction of the Supreme Court of Judicature)* or Act XXVII of 1860 *(for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons)* shall be received and determined by the Deputy Commissioner of the district subject to the provisions in the said Acts contained respectively as to jurisdiction and otherwise. All orders passed by the Deputy Commissioners in such cases or proceedings shall be open to appeal to the Commissioner of the division,

Trial of cases or proceedings under the above and other Acts.

Appeal.

provided that no such appeal shall be allowed unless it be presented within thirty days from the date of the order appealed against, or unless the party making the appeal can show good and sufficient cause to the satisfaction of the Commissioner for not presenting the appeal within such period. The order of the Commissioner on any such appeal shall be final.

Procedure of civil Courts in British Burma to be regulated by Code of Civil Procedure.

XXIII. Except as is in this Act otherwise provided, the proceedings in civil suits of every description between party and party brought in the Courts of Civil Judicature in British Burma mentioned in section 2 of this Act, shall be regulated by the said Code of Civil Procedure, and, except as otherwise provided by this Act or by any law which may hereafter be passed, by no other law or Regulation.

Act XIV of 1859 extended to Pegu.

XXIV. Act XIV of 1859 *(to provide for the limitation of suits)*, as amended by Act XIV of 1862, is hereby extended to the province of Pegu, and shall take effect therein from the date on which this Act comes into operation in British Burma in supersession of any law of limitation in force in the said province. Provided that all suits pending in any of the civil Courts in the said province upon the date upon which this Act comes into operation in British Burma shall, so far as regards the provisions in this section contained, be tried and determined as if this Act had not been passed. Provided also that clause 15 of section 1 of the said Act XIV of 1859 shall not apply to any claim to foreclosure arising under any deed or instrument of mortgage of immovable property in Pegu executed before the date aforesaid, but every such claim arising under any such deed or instrument shall, so far as the law of limitation is concerned, be governed by the laws or rules of limitation now in force in that province.

Powers vested in Sudder Court to be exercised by the Chief Commissioner.

XXV. Except as otherwise provided in this Act, the powers vested in the Sudder Court by the Code of Civil Procedure, shall be exercised in British Burma by the Chief Commissioner.

Levy of stamp duty.

XXVI. Except as provided in sections 20 of this Act, the stamp duties prescribed by schedule B annexed to Act X of 1862 (*to consolidate and amend the law relating to stamp duties*) for instruments and writings in the Sudder Court and the Courts subordinate to the Sudder Court, shall be chargeable on instruments and writings in the Court of the Chief Commissioner and the several Courts subordinate to the Chief Commissioner.

Construction of district Court as used in Code of Civil Procedure.

XXVII. The local jurisdiction of a Deputy Commissioner shall be deemed a district for the purpose of this Act, and the Court of such Deputy Commissioner shall be deemed the district Court within the meaning of the Code of Civil Procedure.

Commencement of Act.

XXVIII. This Act shall come into operation on the 1st day of May 1863.

ACT No. XXIV OF 1863.

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor-General on the 16th May 1863.)

An Act to amend Act I of 1863 (to define the jurisdiction and to regulate the procedure of the Courts of Civil Judicature in British Burma, and to provide for the extension of certain Acts to the said territory.)

Preamble.

WHEREAS it is expedient to amend Act I of 1863 *(to define the jurisdiction and to regulate the procedure of the Courts of Civil Judicature in*

British Burma, and to provide for the extension of certain Acts to the said territory); It is enacted as follows :—

Governor-General may invest certain Courts in British Burma with power to try suits &c. now cognizable by Courts of lower grade.

I. It shall be lawful for the Governor-General of India in Council to invest any Court in British Burma of the second, third, and fourth grades of Courts mentioned in section 2 of the said Act I of 1863, with power to receive suits, and to take cognizance of other matters, arising within the jurisdiction of the Court so invested, which from their amount as well as in other respects may be cognizable under the provisions of the said Act by a Court of a lower grade, and to try and determine the same subject to all the provisions of the said Act.

Provision for appeals from orders and decisions in suits &c. dealt with under preceding section.

II. Appeals from orders and decisions passed by any Court invested as aforesaid, in suits or other matters of the nature described in the last preceding section, shall lie to the Court to which appeals from orders and decisions passed by the said Court in the exercise of its ordinary jurisdiction lie under the said Act I of 1863, and shall be subject to all the rules contained in the said Act in relation to such appeals.

Jurisdiction of Deputy Judicial Commissioner at Rangoon, and his Court.

III. The Court of the Deputy Judicial Commissioner at Rangoon shall, for the purposes of Act I of 1863, be a Court of a Deputy Commissioner as constituted by the said Act; and the said Deputy Judicial Commissioner shall exercise the same jurisdiction in respect to receiving, trying, and determining suits and other matters arising within his jurisdiction as Deputy Judicial Commissioner, as a Deputy Commissioner is competent to exercise under the said Act.

Civil Code of Pegu repealed, and Act VIII of 1859 substituted during certain period.

IV. The Code called the "Civil Code of the province of Pegu," with exception to chapter III of the said Code as to the limitation of suits, and chapter XXVII relating to stamps, shall be held

to have been repealed from the twentieth day of May 1862; and on and after the said date, until the first day of May 1863, Act VIII of 1859 (for simplifying the procedure of the Courts of Civil Judicature not established by Royal Chapter), as extended by the Chief Commissioner of British Burma to the province of Pegu, shall be held to have been in force in that province.

Provision as to order or decision passed, or proceeding held, by Courts in Pegu on or after the 20th May 1862.

V. No order or decision passed, and no proceeding held by any Court in the province of Pegu, or by any appellate Court in relation to any such order or decision or proceeding, on or after the said twentieth day of May 1862, and before the said first day of May 1863, shall be held to be invalid merely by reason of such order or decision having been passed, or of such proceeding having been held under the said Act VIII of 1859, as extended to the said province by the Chief Commissioner of British Burma, instead of under the Code called the Civil Code of the province of Pegu, or *vice versâ*.

THE FOLLOWING COURTS IN BRITISH BURMA HAVE BEEN INVESTED WITH THE POWERS UNDER ACT XXIV OF 1863, SECTION 1.

FOREIGN DEPARTMENT NOTIFICATION (JUDICIAL) No. 203 DATED 30TH JULY 1864.

PEGU DIVISION.

RANGOON DISTRICT.

Deputy Commissioner—Rangoon.
Assistant Commissioner—Rangoon.
Extra Assistant Commissioner 1st class—Twantay.

BASSEIN DISTRICT.

Deputy Commissioner—Bassein.
Assistant Commissioner—Bassein.
Extra Assistant Commissioner 1st class—Pantanau.
Extra Assistant Commissioner 2nd class—Bassein.

PROME DISTRICT.

Assistant Commissioner—Prome.
Assistant Commissioner—Thayet-myo.
Extra Assistant Commissioner 2nd class—Prome.

MYANOUNG DISTRICT.

Extra Assistant Commissioner 1st class—Myanoung.
Extra Assistant Commissioner 1st class—Mengyee.
Extra Assistant Commissioner 2nd class—Myanoung.

TOUNG-OO DISTRICT.

Assistant Commissioner—Toung-oo.
Extra Assistant Commissioner 2nd class—Toung-oo.

TENASSERIM DIVISION.

AMHERST DISTRICT.

Deputy Commissioner—Amherst.
Assistant Commissioner—Maulmain.
Assistant Commissioner—Kaukariet.

MARTABAN DISTRICT.

Assistant Commissioner—Younzaleen.
Assistant Commissioner—Thatone.
Assistant Commissioner—Sittang.
Extra Assistant Commissioner 2nd class—Shwe-gyeen.

TAVOY DISTRICT.

Extra Assistant Commissioner 2nd class—Tavoy.

MERGUI DISTRICT.

Extra Assistant Commissioner 2nd class—Mergui.

ARAKAN DIVISION.

AKYAB DISTRICT.

Deputy Commissioner—Akyab.
Extra Assistant Commissioner 1st class—Akyab.
Extra Assistant Commissioner 1st class—Kuladan.
Extra Assistant Commissioner 1st class—Moungdoo.
Extra Assistant Commissioner 2nd class—Akyab.

RAMREE DISTRICT.

Extra Assistant Commissioner 2nd class—Ramree.

SANDOWAY DISTRICT.

Extra Assistant Commissioner 2nd class—Sandoway.

HOME DEPARTMENT NOTIFICATION NO. 6995, DATED 29TH DECEMBER 1864.

RAMREE DISTRICT.

Deputy Commissioner—Ramree.

SANDOWAY DISTRICT.

Deputy Commissioner—Sandoway.

ACT XXVII OF 1861.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Right Honorable the Governor-General on the 7th September 1861.)

An Act to regulate the administration of Port Blair and other settlements in the Andaman islands.

Preamble.

WHEREAS the settlement of Port Blair including the territory thereto attached, within the Andaman group of islands, is occupied as a penal settlement for convicts sentenced by the Courts of British India to transportation, and it is expedient to provide for the admission and residence of other persons than convicts within the said settlement; and whereas it is expedient to provide in like manner for any other settlements that may be formed in the said islands, as well as for the occupation of land and the general administration of such settlements; It is enacted as follows:—

Land vested absolutely in Government.

I. The land of the settlement of Port Blair and of any other settlement that may hereafter be formed by the Government of India in the Andaman group of islands is vested absolutely in Her Majesty the Queen, and such land shall not be sold, leased, or otherwise transferred to or be acquired by any person except by and through an instrument in writing executed by the Superintendent of the settlement or such other authority as the Governor-General of India in Council may appoint, and it shall be competent to such Superintendent or other authority to eject any person from any land occupied or in any way possessed by such person which he shall not have acquired in the manner prescribed in this section.

Appointment of officers to superintend management of land, &c.

II. The Governor-General of India in Council may appoint one or more officers to superintend the management of the land of the settlement of Port Blair and of any other settlement as aforesaid, and the realization of any revenue, rent, or other dues that may be payable on account of such land, and any officer so appointed shall, in the matters aforesaid, be subject to the direction and control of the Governor-General of India in Council and be guided by such instructions as the Governor-General of India in Council may from time to time issue.

Administration of civil and criminal justice.

III. The administration of civil and criminal justice within the settlement of Port Blair and of any other settlement as aforesaid, shall be vested in such officer or officers as the Governor-General of India in Council may, for the purpose of tribunals of first instance or of reference and appeal, appoint, and the officer or officers so appointed shall in matters aforesaid be subject to the direction and control of the Governor-General of India in Council, and be guided by such instructions as the Governor-General of India in Council may from time to time issue.

Appeal.

IV. It shall be lawful for the Governor-General of India in Council to declare in what cases the order, judgment, or sentence made by any officer appointed as provided in the last preceding section shall be final, and to direct that from any such order, judgment, or sentence an appeal may be heard and decided by any Court established within British India and beyond the limits of the settlement of Port Blair.

Revision and confirmation of sentences.

V. It shall be lawful to the Governor-General of India in Council to empower any Court established within British India and beyond the limits of the said Andaman group of islands, to confirm and modify or reverse any order or sentence

passed in any criminal trial by any officer within such settlement, and no sentence of death passed by any officer within any settlement in the said group of islands shall be carried into execution until it be confirmed by the Governor-General of India in Council or by such Court, established within British India as aforesaid, as the Governor-General of India in Council may for that purpose appoint.

Penalty for Master anchoring his vessel for the purpose of landing of passengers or goods at unauthorized port.

VI. It shall not be lawful for the Master or Commander of any vessel to land or to anchor such vessel for the purpose of landing any person or any goods or thing at any place on the coast of the settlement of Port Blair or any other settlement as aforesaid, except at such place as may be declared a port under the provisions of Act XXII of 1855 *(for the regulation of ports and port-dues)*; and any Master or Commander so offending shall forfeit and pay a sum not exceeding one thousand rupees.

Penalty for landing at unauthorized port.

VII. Any person who shall land from any vessel or boat at any place on the coast of the settlement of Port Blair or of any other settlement as aforesaid, except at such place as shall be within the limits of any port declared under the provisions of the said Act XXII of 1855, shall forfeit and pay a sum not exceeding five hundred rupees, and any goods or thing landed from any vessel or boat, except within such limits, shall be liable to be seized by any person in the employment of Government within the settlement, and may be confiscated if the Superintendent or other officer aforesaid shall so direct.

Exception from provisions of last two sections.

VIII. The provisions of the last two preceding sections shall not apply to any vessel or boat the property of Her Majesty or used for any public purpose, or to any person, goods, or thing

landed from such vessel or boat, nor in any other case when the sections aforesaid shall have been infringed from stress of weather or other unavoidable circumstances.

Master of vessel to deliver to Conservator list of crew, &c.

IX. The Master or Commander of any vessel which shall enter any port of the settlement of Port Blair or of any other settlement as aforesaid, shall be bound to deliver to the Conservator of the port, within twenty-four hours from the time of entering, a list of the crew and passengers on board of such vessel as well as a manifest of the cargo carried by such vessel; and any Master or Commander failing to deliver such list and manifest within such period shall forfeit and pay a sum not exceeding five hundred rupees.

Penalty.

Penalty for any person landing without license.

X. No person shall land within the limits of any port of the settlement of Port Blair or of any other settlement as aforesaid, except under a license granted as hereinafter provided or under the written permission of the Conservator of the port or of the Superintendent of the settlement or other authority appointed as provided in section 1 of this Act, and any person so landing without such license or permission shall forfeit and pay a sum not exceeding five hundred rupees.

Penalty for landing goods without license.

XI. No goods or other thing shall be landed within the limits of any port of the settlement of Port Blair or of any other settlement as aforesaid except under the written permission of the Conservator of the port or other officer appointed on that behalf; and any goods or thing landed without such permission, shall be liable to be seized by any person in the employment of Government within the settlement, and may be confiscated if the Superintendent or other authority aforesaid shall so direct.

XII. Every Master or Commander of a vessel shall, twenty-four hours at least before the departure of such vessel from any port of the settlement of Port Blair, or of any other settlement as aforesaid, furnish to the Conservator of such port a list of the crew and other persons who are about to sail in such vessel, specially designating any person (if any) who shall not have arrived at the settlement in such vessel; and every Master or Commander who shall fail to furnish such list shall forfeit and pay a sum not exceeding one thousand rupees. If any such Master or Commander shall, after furnishing the list herein mentioned, take or receive on board his vessel any person, not mentioned or included in such list, for the purpose of taking him from such port, without forthwith informing the Conservator of such port of the name of such person, he shall be liable to forfeit and pay a sum of five hundred rupees for every such person so taken or received on board.

Penalty for Master omitting to furnish the Conservator with a list of his crew, &c., before the departure of his vessel.

XIII. Every Master or Commander of any vessel anchored in, or about to depart from, any port of the settlement of Port Blair or of any other settlement as aforesaid, shall be bound, on the requisition of the Conservator of the port or other person acting under the instructions of the Superintendent of the port or other officer as aforesaid, to permit such Conservator or other person to inspect such vessel and to produce before such Conservator or other person any person who may be on board of such vessel. If any Master or Commander shall fail to conform to any of the provisions of this section, he shall forfeit and pay a sum not exceeding one thousand rupees.

Inspection of vessels.

Penalty.

XIV. If the Master or Commander of any vessel or other person shall wilfully receive on board such vessel or on any boat any convict undergoing a sentence of transportation, for the pur-

Penalty for receiving on board a convict for the purpose of escape.

pose of conveying the same from the settlement of Port Blair or any other settlement as aforesaid without the knowledge or authority of the Superintendent or other officer aforesaid, such Master or Commander or other person shall forfeit and pay a sum not exceeding one thousand rupees, besides being liable to any punishment that may be awarded on conviction of any offence committed by him under the provisions of the Indian Penal Code.

License for residing at the settlement.

XV. No person shall reside at the settlement of Port Blair or any other settlement as aforesaid beyond the period of one month, or after the departure of the vessel by which he was conveyed to such settlement, except he shall hold a license granted by some person empowered in that behalf by the Governor-General of India in Council; and any person who shall so reside without such license shall forfeit and pay a sum not exceeding five hundred rupees. Such person may be required to remove himself from the settlement in which he shall be, within such time as the Superintendent or other officer appointed as provided in section 1 of this Act shall direct, and if he shall fail so to do, he shall forfeit and pay a sum not exceeding five hundred rupees, and may further be shipped and removed from the settlement by any vessel that the Superintendent or other officer aforesaid shall appoint for that purpose.

Conditions of license to be determined by Governor-General in Council.

XVI. The Governor-General of India in Council may determine the conditions upon which a license to reside in the settlement of Port Blair or any other settlement as aforesaid shall be granted. The conditions so determined shall be inserted in the license: and if the holder of any such license shall fail to conform to, or shall infringe, any of the conditions therein specified, he shall forfeit and pay any sum specified there-

in as a forfeiture payable for any neglect or infringement of such conditions. Such person may also be required to remove himself from the settlement in which he shall be, and his failure so to do may be enforced as provided in the last preceding section.

Imposition and recovery of forfeitures.

XVII. The forfeitures incurred under this Act may be imposed by any officer exercising the authority of Magistrate within the settlement of Port Blair, and the payment of the sum may be enforced by distress and sale of the goods and chattels of the offender, or in the case of the Master or Commander of a vessel, by the distress and sale of such vessel and the tackle, apparel, and furniture thereof; and in default of the recovery of any sum forfeited and payable under this Act, the offender may be imprisoned in the civil jail for a period of one month if such sum be not sooner paid.

RESOLUTION BY THE GOVERNMENT OF INDIA ON THE ADMINISTRATION OF CIVIL AND CRIMINAL JUSTICE WITHIN THE SETTLEMENT OF PORT BLAIR.

Dated September 26th 1861.

(No. 58). Read Act XXVII of 1861, entitled an Act to regulate the administration of Port Blair and other settlements in the Andaman islands.

Under the authority vested in the Governor-General in Council by sections 3 and 4 of the above mentioned Act, His Excellency in Council is pleased to pass the following resolution:—

Administration of civil and criminal justice, in whom vested.

Resolution.—The administration of civil and criminal justice within the settlement of Port Blair shall be vested in the Superintendent of the

settlement and in the Deputy Superintendent to the extent and subject to the directions following:—

Civil and criminal powers of Superintendent.

The Superintendent shall be vested with, and may and shall exercise full judicial power and authority in all cases whatsoever, civil and criminal, both for the purpose of a tribunal of first instance, and of reference and appeal, subject to such instructions as the Governor-General in Council may from time to time issue. And, subject as aforesaid, the judgments and sentences of the Superintendent in all cases, civil and criminal, shall be final and conclusive, save that no sentence of death passed by him shall be carried into execution until it be confirmed by the Governor-General in Council. But it shall be lawful for the Superintendent subject as aforesaid, if he shall think the ends of justice require it, to review any judgment or sentence passed by him, or to submit the same to be reviewed by the Governor-General in Council.

Criminal powers of Deputy Superintendent.

The Deputy Superintendent may and shall exercise in criminal matters the powers of a Magistrate.

Civil powers.

In civil cases he may and shall exercise the powers of a Moonsiff and Sudder Ameen.

Appeals in criminal cases.

In criminal cases an appeal shall lie from the Deputy Superintendent to the Superintendent in all cases in which a sentence of imprisonment shall be passed exceeding three months, or in which a fine shall be imposed exceeding 100 rupees.

Appeals in civil cases.

In civil cases an appeal shall lie from the Deputy Superintendent to the Superintendent in all suits in which the amount sought to be recovered shall exceed 100 rupees.

Extract from the Proceedings of the Right Hon'ble the Governor General of India in Council, in the Home department, under date the 2nd April 1864.

READ again Resolution, dated 26th September 1861, vesting the Superintendent of Port Blair with certain powers for the administration of civil and criminal justice within that settlement.

Read again paragraph 16 of the Resolution, dated 1st April, regarding the present requirements of the settlement.

RESOLUTION.

WHEREAS it is desirable that the Superintendent of Port Blair should be placed under the orders of the Chief Commissioner of British Burma, and that the settlement of Port Blair and the other settlements in the Andaman islands should be attached to the Tenasserim Commissionership, His Excellency the Governor General in Council is pleased to invest the Chief Commissioner of British Burma, and under him the Commissioner of the Tenasserim division, with a general power of supervision and direction over the executive administration exercised by the Superintendent of Port Blair at that and the other settlements above mentioned.

2. His Excellency the Governor General in Council is further pleased, under section 5 of Act XXVII. of 1861 to empower the Court of the Chief Commissioner of British Burma to confirm any sentence of death which may be passed in any criminal trial by the Superintendent of Port Blair; and no sentence of death passed by the Superintendent of Port Blair shall be carried into execution until it shall have been confirmed by the Court of such Chief Commissioner.

The Superintendent of Port Blair is placed directly under the orders of the Chief Commissioner of British Burma, instead of those of the Commissioner of Tenasserim by letter No. 2858 from the Secretary to the Government of India, Home department, dated 21st September 1864.

ACT No. XIII of 1859.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(*Received the assent of the Governor-General on the 4th May* 1859.)

An Act to provide for the punishment of breaches of contract by artificers, workmen and laborers in certain cases.

This Act was extended to the town and cantonment of Rangoon, by notification Home department, No. 6962, dated 30th December 1865.

ACT No. XXI of 1863.

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

(*Received the assent of the Governor-General on the 10th March* 1863.)

An Act to constitute Recorders' Courts for the towns of Akyab, Rangoon, and Moulmein, in British Burma; and to establish Courts of Small Causes in the said towns.

WHEREAS the resolution of the Governor-General in Council, dated the 31st January 1862, declares that, instead of a Judicial Commissioner for the whole province of British Burma, whose ordinary business can well be undertaken by the Chief Commissioner, and who, as Judge of a special Court sitting at the head quarters of each

division, could not possibly dispose of the causes arising at each place in a manner that would satisfy the suitors, or be consistent with the prompt and regular administration of justice, there shall be established at Rangoon and Maulmain a Court to be presided over by a Barrister or Advocate of not less than five years' standing, with full powers of civil and criminal jurisdiction, analogous to those now exercised by the Recorders of Prince of Wales' island and Singapore, with the exception of the power to try cases in which European British subjects are charged with capital offences: and whereas it is expedient to make provision for the establishment of such Court, and of a similar Court for the town of Akyab; and also for the establishment of a Court of Small Causes in each of the said towns of Akyab, Rangoon, and Maulmain, and to prescribe the procedure for the said Courts, respectively; It is enacted as follows:—

Governor-General may establish Courts for certain towns in British Burma.

I. It shall be lawful for the Governor-General in Council to establish Courts of Judicature for the towns of Akyab, Rangoon, and Maulmain, in British Burma, or for any of the said towns, which Courts, when so established, shall be called, respectively, the "Court of the Recorder of Akyab," the "Court of the Recorder of Rangoon," and the "Court of the Recorder of Maulmain." Such Courts shall be Courts of Record.

Designation, appointment, &c. of Judges of such Courts.

II. The said Courts, respectively, shall be held before a Judge who shall be called "The Recorder" thereof, and shall be appointed by the Governor-General in Council, and shall be a Barrister of not less than five years' standing. Every Recorder appointed under this Act shall hold his office during the pleasure of the Governor-General in Council.

Declaration to be made by Recorder.

III. Previously to entering upon the execution of the duties of his office, every Recorder

appointed under this Act shall make or subscribe the following declaration before such authority or person as the Governor-General in Council may commission to receive the same:—

"I, A. B., appointed Recorder of [ ] do solemnly declare that I will faithfully perform the duties of my office to the best of my ability, knowledge, and judgment."

Governor-General may appoint one Recorder only, or more.

IV. The Governor-General in Council may appoint only one Recorder to be the Recorder of the said three Courts, or he may from time to time appoint a separate Recorder for any one, or for any two, of the said Courts.

If only one Recorder, how Court shall be held.

V. So long as there shall be only one Recorder of the said three Courts, such Recorder shall hold his Court at each of the said three towns of Akyab, Rangoon, and Maulmain, at stated periods. He shall hold his Court in Rangoon at such times as may be necessary; in Maulmain at least once in every three months; and in Akyab at least once in every four months.

Notification by Recorder, as to time and place of holding Court.

VI. The Recorder shall on or before the 1st day of January in each and every year, or at such other convenient times as the Chief Commissioner of British Burma shall direct, notify in the Official Gazettes of the towns in which the Court is to be held, the days on which he intends to hold his Court at the said towns, respectively, during the then next ensuing twelve months: and a copy of such notification shall be stuck up in a conspicuous part of the Court houses in the said towns, respectively.

Procedure in case of Recorder being unable to hold Court as notified.

VII. If the Recorder shall be unable to hold his Court at the time and place fixed in any notification issued under the last preceding section, he shall fix another period for holding his Court at such place, and shall publish notice of the

same in the same manner, so far as circumstances will permit, in which a notification under the said section is directed to be published.

Recorder may hold Court at other than notified times.

VIII. Notwithstanding anything in sections 6 and 7 of this Act contained, it shall be lawful for the Recorder to hold his Court at times other than those notified, as provided in the said sections, when for any good and sufficient reason it shall appear to him necessary and proper to do so.

Sections 6 to 8 how to be applied when there is one Recorder for two Courts.

IX. Whenever there shall be one Recorder for any two only of the said three Courts, the provisions contained in sections 6, 7, and 8 of this Act shall be applied, so far as the same may be applicable, in respect of the sittings to be held by such Recorder within the towns of the Courts of which he is Recorder.

Civil jurisdiction of Recorder.

X. The Recorders appointed under this Act shall have and exercise civil jurisdiction within such local limits, in the said towns of which they are respectively the Recorders and in the neighbourhood thereof, as may from time to time be fixed by the Chief Commissioner of British Burma, with the approval of the Governor-General in Council; and the limits so fixed shall be published in the Official Gazettes of the said towns. Provided that it shall be lawful for the said Chief Commissioner, with such approval as aforesaid, as often as he shall think proper, to vary or alter the limits so fixed; and, save as in this Act provided, no Court other than the Recorder's Court shall have or exercise any civil jurisdiction whatever, within the limits for the time being fixed as aforesaid.

Proviso as to alteration of local limits.

Suits cognizable by Recorders.

XI. The Recorders appointed under this Act shall receive, try, and determine suits of every description, if in the case of suits for land or other immovable property such land or property

shall be situate, or if in all other cases the cause of action shall have arisen, or the defendant at the time of the commencement of the suit shall dwell, or carry on business, or personally work for gain, within the local limits of the ordinary jurisdiction of their respective Courts. Provided that the Recorders shall not take cognizance of any suit, the cognizance of which, by the ordinary Civil Courts in British India not established by Royal Charter, is barred by any Act of Parliament, or by any Regulation or Act of the Governor-General of India in Council.

Proviso.

Transfer of cases from other Courts to Recorder's Court.

XII. It shall be lawful for the Chief Commissioner to direct the transfer to any Recorder's Court, of any case which shall have been instituted in any Court in British Burma other than a Recorder's Court. Every case so transferred shall be tried and determined by the Recorder to whose Court it is transferred, in the same manner, and under the same rules as to procedure, and in all other respects, as if the Recorder had originally had jurisdiction in the case, and the case had originally been instituted before him.

Such cases how to be dealt with.

Rule as to trial of suits by Recorder having jurisdiction in more than one Court.

XIII. A Recorder, who is the Recorder of more Courts than one, shall, while sitting in any one of the Courts of which he is Recorder, ordinarily try no suits except such as shall have been instituted in such Court, or shall have been transferred to it by the Chief Commissioner as hereinbefore provided: but such Recorder may, if he think proper, try any suit instituted in any other of the said Courts of which he is Recorder if the parties thereto shall join in an application to him (which shall be in writing, signed by all the parties to the suit or their agents) so to try the same.

Seal of Courts. Use and custody of same.

XIV. A separate seal shall be made under the direction of the Governor-General in Council for each of the said Courts, and all summonses,

orders, and other process issuing out of the said Courts, respectively, shall be sealed or stamped with the seal of the Court issuing the same. The said seal shall be delivered to and kept in the custody of the Recorder; but during any absence of the Recorder, or in case of the vacancy of the office of Recorder, the same shall be delivered to and kept in the custody of the Registrar of the Court appointed as is hereinafter provided; and if there be no Registrar, then it shall be delivered to and kept in the custody of the Deputy Commissioner.

Appointment and removal of ministerial officers.

XV. It shall be lawful for the Recorder of any Court or Courts established under this Act, from time to time, and subject to any rules and restrictions which may be prescribed by the Governor-General in Council, to appoint such and so many clerks and other ministerial officers as shall be found necessary for the administration of justice by the said Recorder, in such Court or Courts respectively, and the due execution of the powers and authorities given to him by this Act; and every clerk and officer appointed as aforesaid shall be liable to dismissal by order of the Recorder of the Court to which he is appointed: provided that no person shall be removed from any office, the salary of which is one hundred rupees per mensem or upwards, without the sanction of the Chief Commissioner.

Licensing of Advocates, and rules regarding qualifications and admission.

XVI. No person shall be permitted to appear or act as the advocate of any suitor in any Court held under this Act, in any action or suit, or touching any matter whatever, unless such person shall have been previously licensed by the Recorder of such Court, to act for the suitors of such Court generally, or specially for the particular occasion; and it shall be lawful for the Recorder of every Court held under this Act, to make rules for the qualifications and admission of proper

Saving of agent for Secretary of State, &c.

persons to act as advocates in such Court. Provided that nothing in this section contained shall be deemed to prevent any person from appearing or acting as the agent for the Secretary of State for India in Council, or to prevent any suitor from appearing, pleading, or acting, on his own behalf, or on behalf of a co-suitor. Provided also that any person, who for the time being is an advocate, vakeel, or attorney-at-law of any of the High Courts of Judicature in India, shall be entitled without any license to act as an advocate for any suitor in any of the said Courts; and that any person for the time being licensed to act generally in any one of the said Courts, shall without further license be also entitled to act generally in any other of the said Courts.

And of advocates, &c., of High Courts.

License may be withdrawn.

XVII. The Recorder of any Court may, for any sufficient reason, withdraw or vacate any license which shall at any time be granted by such Recorder to any person, to act generally or specially as an advocate under this Act.

Fees of advocates, &c., subject to taxation.

XVIII. The fees to be received by any advocate, whether general or special, licensed under this Act, or entitled to act as an advocate for another person in any of the said Courts without a license, under section 16 of this Act, shall at all times be subject to the control and taxation of the Recorder of the Court having jurisdiction in the case in respect of which such fees are payable, and no fees shall be recoverable by any advocates except such fees as shall have been allowed by the Recorder on taxation.

Rules for service and execution of process, and table of fees for same.

XIX. It shall be lawful for the Recorder of any Court or Courts established under this Act, to make and issue rules to regulate the service and execution of the processes of the Court or Courts, within the territorial limits of his jurisdiction, and also to settle a table of fees to be allowed to

the persons employed in such service or execution, and from time to time to alter any such rule or table, and the rules so made and the tables so issued shall be used and observed in the said Court or Courts; provided that such rules and tables be not inconsistent with the provisions of any law in force, and shall, before they are issued, have received the sanction of the Chief Commissioner. All such rules and tables shall be published in the Official Gazettes of the said towns, and shall thenceforth have the force of law until repealed or over-ruled by any Act of the Legislature, or by any rule or table subsequently issued and published with the sanction and in the manner aforesaid.

Publication of same.

XX. Save as in this Act otherwise provided, the proceedings in civil suits of every description between party and party brought in any Court established under this Act, shall be regulated by Act VIII of 1859, *(the Code of Civil Procedure)*, as amended by Act XXIII of 1861, and by any other Act or Acts that may hereafter be passed for that purpose.

Proceedings in civil suits how to be regulated.

XXI. In all suits cognizable by any Court held under this Act, all questions as well of fact as of law or equity shall be dealt with and determined according to the law administered by the High Court of Judicature at Fort William in Bengal, in the exercise of its ordinary original civil jurisdiction. Provided that this section shall not apply to any case heard and determined by any Court held under this Act, in which a native of British India is a defendant, and in which any question relating to marriage, inheritance, or succession shall be involved; but every such case, in so far as such question is concerned, shall be determined by the law or usage which would have been applied thereto, if such question had arisen

Law as administered in Calcutta High Court, in its ordinary original civil jurisdiction, to obtain in all suits.

Saving of certain cases.

in any other Court in British Burma than a Court held under this Act.

In case of doubt as to certain questions, statement of case may be submitted for decision of High Court.

XXII. If in any suit, any question of law, or usage having the force of law, or the construction of a document affecting the merits of the decision, shall arise, on which the Recorder shall entertain any doubt, the Recorder may, either of his own motion, or on the application of either of the parties to the suit, draw up a statement of the case, and submit such statement, with his own opinion, for the decision of the High Court of Judicature at Fort William in Bengal.

And decree may be passed contingent thereon; but, pending receipt, execution not to issue.

XXIII. The Recorder may proceed in the case, notwithstanding a reference to the said High Court, and may pass a decree contingent upon the opinion of the High Court on the point referred; but no execution shall be issued in any case in which a reference shall be made to the High Court, until the receipt of the order of that Court.

Full bench of High Court to deal with cases referred.

XXIV. Cases referred for the opinion of the High Court shall be dealt with by a bench of two or more judges of that Court.

And parties may appear in person, or by advocate, &c. Transmission of judgment of High Court, and proceeding thereupon.

XXV. The parties to the case may appear and be heard in the High Court in person, or by an advocate or pleader; and the High Court, when it has heard and considered the case, shall transmit a copy of its judgment, under the seal of the Court and the signature of the proper officer of the Court, to the Recorder, who shall, on the receipt thereof, proceed to dispose of the case conformably to the decision of the High Court.

Costs of reference to High Court.

XXVI. Costs, if any, consequent on the reference of a case for the opinion of the High Court, shall be costs in the suit.

Appeal to High Court in certain cases.

XXVII. In all suits heard and determined by a Recorder under this Act, in which the amount or value of the suit shall exceed rupees

three thousand, and be less than rupees ten thousand, an appeal shall lie to the High Court of Judicature at Fort William in Bengal, subject to the rules contained in the said Code of Civil Procedure regarding the regular appeals.

Grant of new trial on application within given time.

XXVIII. It shall be competent to the Recorder, if he shall think fit, to grant a new trial in any suit tried by him, if applied for within three months from the date of the decision, if the suit relate to any land or other immovable property; and in all other cases if applied for within thirty days from the date of the decision. Provided that nothing hereinbefore contained shall interfere with the power of the Recorder to allow a review of judgment, under the Code of Civil Procedure, if such review be applied for within the period allowed by the said Code for making such applications. Provided also that, in any case in which the Recorder may think it necessary to do so, he may before granting a new trial, or a review, require the party applying for the same to give sufficient security for the due compliance with the terms of the decree or order which it is sought to set aside or review.

And review of judgment.

Security from applicant for either.

Recorder may receive and dispose of all cases under certain Acts, subject to provisions of same as to jurisdiction.

XXIX. All cases and proceedings arising under Act XIX of 1841 *(for the protection of movable and immovable property against wrongful possession in cases of successions)*, Act XXXV of 1858 *(to make better provision for the care of the estate of lunatics not subject to the jurisdiction of the Supreme Courts of Judicature)*, Act XL of 1858 *(for making better provision for the care of the persons and property of minors in the Presidency of Fort William in Bengal)* as amended by Act IX of 1861 *(to amend the law relating to minors)*, or Act XXVII of 1860 *(for facilitating the collection of debts on successions, and for the security of parties paying debts to the representives of deceased persons)*, may be received and dis-

posed of by the Recorder of any Court established under this Act, subject always to all the rules and provisions as to jurisdiction and otherwise in the said Acts contained respectively. Orders passed by the Recorder in cases arising under the said Acts shall not be open to appeal, but the parties shall be at liberty to contest such orders in a regular suit. No Court other than the Recorder's Court shall, within the local limits of the jurisdiction of such Recorder's Court, receive or deal with any case or proceeding arising under any of the Acts mentioned in this section.

And his orders in such cases not open to appeal.

No other Court to deal therewith, within the jurisdiction of Recorder.

Assessors in civil suits.

XXX. For the trial of civil suits under this Act, the Recorder may constitute one or more persons Assessor or Assessors of the Court. Such person or persons shall attend during the trial of the suit, and shall deliver his or their opinion or opinions in writing, to be recorded on the proceedings. But the decision of the case shall rest with the Recorder. No officer of the Recorder's Court shall be appointed an Assessor under this section, but this prohibition shall not extend to any other public officer.

Appointment of Registrar.

XXXI. It shall be lawful for the Governor-General in Council to appoint, to each or any of the Recorders' Courts established under this Act, an officer who shall be called the Registrar of the Court to which he shall be appointed.

Duties of Registrar.

XXXII. The Registrar of the Recorder's Court shall be the chief ministerial officer of the Court, and shall, subject to the provisions in the next following section contained, receive all plaints presented to the Court; and in the absence of the Recorder, shall issue notice of suit to the defendants; receive any documents which the parties may wish to put in; and issue process for the attendance of their witnesses; he shall also keep lists of all causes coming on for trial, and

shall fix such days for their being heard respectively, as may seem to him fit, having regard to the period appointed for the Recorder's sittings.

XXXIII. If the Registrar shall be of opinion that any plaint presented to the Court is defective in any of the particulars mentioned in section 28, section 29, section 30, section 31, or section 32, of the Code of Civil Procedure, he shall not reject the plaint, but shall point out to the plaintiff wherein the plaint is defective, and shall with as little delay as possible forward the plaint to the Recorder of the Court for his orders, together with any statement which the plaintiff may think proper to make; and such plaint shall be dealt with as the Recorder shall order. Provided always that, if the defect in the plaint is capable of being cured under any of the said sections, and the plaintiff shall be willing to amend it, it shall not be necessary for the Registrar to send the plaint to the Recorder, but such amendment may thereupon be made.

Procedure in case of plaint being considered defective in certain particulars.

Proviso.

XXXIV. The Registrar shall also receive applications for the execution of decrees passed by the Recorder of the Court of which he is the Registrar, and subject to any orders which he may receive from the Recorder, shall execute such decrees in the same manner as the Recorder may execute them. No appeal shall lie from any order passed by the Registrar under this section; but the Recorder may, of his own motion, reverse or modify any such order whenever he shall think it necessary to do so.

Execution of decrees by Registrar.

XXXV. The Registrar shall have the powers of a Small Cause Court Judge in suits of the nature of those described in Act XLII of 1860 *(for the establishment of Courts of Small Causes beyond the local limits of the jurisdiction of the Supreme Courts of Judicature established by Royal Char-*

Registrar to have powers of Small Cause Court Judge in certain cases.

ter), arising within the limits of the jurisdiction of the Court of which he is the Registrar, provided that the amount or value of the claim shall not exceed two hundred rupees; but he shall exercise such powers subject to the general control of the Recorder. The Governor-General in Council may invest any Registrar appointed under this Act, with jurisdiction to hear and determine suits of the nature cognizable by him as a Small Cause Court Judge under this section, in which the amount or value of the claim does not exceed five hundred rupees.

Any may be invested by Governor-General with higher powers.

Suits cognizable by Registrar how to be heard, &c.

XXXVI. The suits cognizable by the Registrar under the last preceding section shall be set down for hearing before such Registrar, and he shall hear and determine such suits, and execute the decrees made therein, in such manner as is prescribed in the said Act XLII of 1860; and subject to such rules as to procedure and otherwise, in all respects, as are in the said Act contained. Provided that the Recorder, whenever he thinks proper, may transfer to his own file any suits on the file of the Registrar, and may hear and determine the same, subject to the rules as to procedure and otherwise hereinbefore mentioned.

Transfer from Registrar's to Recorder's file.

No appeal from decision of Registrar under last section; but in case of doubt, statement may be submitted for opinion of Recorder.

XXXVII. No appeal shall lie from any order or decision made or passed by the Registrar, in any case heard or disposed of by him under the last preceding section; but in any case in which the Registrar shall entertain any doubt upon any question of law, or usage having the force of law, or the construction of a document affecting the merits of the decision, he shall be at liberty to state a case for the opinion of the Recorder, in like manner as the Recorder may, under section 22 of this Act, state a case for the opinion of the High Court of Judicature at Fort William in Bengal; and all the rules and provisions herein-

Rules applicable to such references.

before contained, relative to the stating of a case by the Recorder, shall apply *mutatis mutandis* to the stating of a case by the Registrar, so far as the same are applicable.

Recorder may refer certain suits to Registrar. Rules respecting trial of same.

XXXVIII. It shall be lawful for the Recorder to refer to the Registrar of his Court any suit, not falling within the description of suits contained in Act XLII of 1860, which shall be instituted in the Court of such Recorder, and the amount or value of the property in dispute in which shall not exceed one hundred rupees. Every suit so referred to the Registrar shall be heard and determined, and the decree made shall be executed, by him, under the same rules as to procedure and otherwise as are applicable to suits tried by the Recorder. In such suits the Registrar shall have no power to state a case to the High Court, or to the Recorder; but an appeal shall lie on questions of law and of fact, from the Registrar's decision to the Recorder, under the rules for regular appeals contained in the Code of Civil Procedure. The decision on the appeal shall be final; but the Recorder shall be at liberty to state a question of law, or usage having the force of law, or the construction of a document affecting the merits of the decision, for the opinion of the High Court, in the same manner as in cases originally tried by himself.

Reference to High Court.

Appeal to Her Majesty in Council in certain cases.

XXXIX. In all suits heard and determined by a Recorder under this Act, in which the sum or matter at issue is rupees ten thousand or upwards, or in which the judgment, decree, or order shall involve, directly or indirectly, any claim, demand, or question, to or respecting property of the value of rupees ten thousand or upwards, an appeal shall lie to Her Majesty in Council, subject to the rules and orders for the time being in force regarding appeals to Her Majesty in Council, from decisions of the High Court of Judica-

ture at Fort William in Bengal, in the exercise of its ordinary original civil jurisdiction.

Recorder to exercise power of Court of Session, and to hold goal deliveries for trial of offenders.

XL. The Recorder shall exercise all the powers of a Court of Session, as defined in the Code of Criminal Procedure, with the territorial limits of the civil jurisdiction of the Court or Courts of which he is Recorder; and shall, at the place or places where such Court or Courts are held, hold gaol deliveries at convenient periods, of which due notice shall be given in the manner prescribed in sections 6 and 7 of this Act, for the trial of all persons charged with offences punishable under the Indian Penal Code, who may be committed to take their trial before his Court as a Court of Session. Provided that the Recorder shall not have power to try any European British subject charged with an offence punishable with death under the said Code. The commitment of any European British subject charged with any such offence shall be made to the High Court of Fort William in Bengal. In all other cases, the commitments made within the limits of the jurisdiction of any Recorder's Court, for offences punishable under the Indian Penal Code, shall be made to that Court.

Proviso as to European British subjects charged with offences punishable with death.

Commitment and trial of such subjects, when charged with offences other than those punishable with death.

XLI. If any European British subject shall be charged in British Burma with any offence (other than an offence punishable with death under the Indian Penal Code), which a Justice of the Peace shall not be competent to punish, and there shall be sufficient grounds for committing him for trial, such European British subject shall be committed to take his trial before the Recorder, and shall be tried by the Recorder of the Court held within the division of British Burma in which either such European British subject shall have been arrested, or in which the offence with which he is charged shall have been committed; that is to say, before the Recorder

at Rangoon if the arrest took place or the offence were committed in Pegu; before the Recorder at Akyab if the arrest took place or the offence were committed in Arakan; and before the Recorder at Maulmain if the arrest took place or the offence were committed in the Tenasserim provinces.

Proceedings of Recorder as Court of Session how to be regulated.

XLII. The proceedings on trials held by the Recorder as a Court of Session under this Act shall be regulated by the Code of Criminal Procedure, and shall be subject to all the provisions of this Act, in so far as the same may be found applicable.

Execution or commutation of sentence of death.

XLIII. If on any trial, sentence of death shall be passed by the Recorder, such sentence shall not be carried into execution until it shall have been confirmed by the Chief Commissioner. It shall be lawful for the Chief Commissioner, in any case in which it shall seem proper to him so to do, to commute a sentence of death to a sentence of transportation for life, or for any shorter period not less than seven years.

No appeal from order, &c., of Recorder in criminal case, but he may reserve points for opinion of High Court.

XLIV. No appeal shall lie from any order or sentence passed by the Recorder in any criminal case. But it shall be at the discretion of the Recorder to reserve any point or points of law for the opinion of the said High Court.

Review of case and alteration of judgment by High Court.

XLV. On such point or points of law being so reserved, as in the last preceding section mentioned, or on its being certified by the Advocate General at Fort William that, in his judgment, there is an error in the decision of a point or points of law decided by the Recorder, or that a point or points of law which has or have been decided by the said Recorder should be further considered, the said High Court shall have full power and authority to review the case, or such part of it as may be necessary, and finally deter-

mine such point or points of law; and thereupon to alter the sentence passed by the Recorder, and to pass such judgment and sentence as to the said High Court shall seem right.

Stamp duties chargeable on instruments, &c., in Recorder's Court.

XLVI. The stamp duties prescribed by schedule B annexed to Act X of 1862 *(to consolidate and amend the law relating to stamp duties)*, for instruments and writings in the Sudder Court, shall be chargeable on instruments and writings in the Courts of the Recorders established under this Act, if the amount or value of the claim exceed one thousand rupees, or if the case be an appeal. The foregoing limitation as to amount shall not extend to petitions of plaint. For such petitions, whether the suit be tried by the Recorder or the Registrar of the Court, and for certificates granted under Act XXVII of 1860, the duty prescribed by the said schedule B shall be chargeable. For copies of decrees in suits, in which the amount or value of the claim does not exceed one thousand rupees, as well as for copies of judgments and orders, the same duty shall be chargeable as prescribed by the said schedule B for copies of decrees, judgments, and orders passed or made by a Court below the Sudder Court. On instruments and writings in all other cases, as well in the Recorders' Courts, as in the Courts of the Registrars in cases cognizable by those officers, on which a duty of eight annas is prescribed by the said schedule B, the duty chargeable shall be eight annas.

Commissioner may sit with Recorder in any suit, and record opinion.

XLVII. The Commissioner of the division within which the said town of Akyab, Rangoon, or Maulmain, is situated, may sit with the Recorder in the trial and hearing of any civil or criminal case arising within the limits of his division; and may record his opinion in any case in which he may so sit.

XLVIII. If there shall for the time being be no Recorder, or if the Recorder of any of the said Courts shall at any time, from sickness, or from being absent on leave or other cause, be unable to attend to the duties of his office, it shall be lawful for the Commissioner of the town wherein such Court is situate to sit in such Court, and to exercise all the powers vested by this Act in the Recorder, but subject to all the rules, provisions, and limitations, herein prescribed and declared. Provided that no Commissioner shall act as Recorder, or exercise any authority under this section, without the sanction of the Chief Commissioner first obtained.

And may, in the absence of Recorder, sit in Court and exercise all powers.

XLIX. The Recorder shall keep such registers, and books and accounts, and submit to the Chief Commissioner such statements and returns of the work done in his Court, on the civil and criminal sides, as may be prescribed by the said Chief Commissioner, with the approval of the Governor-General in Council. The Recorder shall also comply with such requisitions as may be made by the Governor-General in Council, or by the Chief Commissioner, for records.

Recorder to keep such registers, &c., and to submit such returns, &c., as Chief Commissioner shall prescribe.

L. The word "Barrister" in this Act shall be deemed to include Barristers of England or Ireland; or members of the Faculty of Advocates in Scotland; or Advocates of any High Court, or Colonial Supreme Court, authorized by Royal Charter to admit Advocates.

Interpretation of "Barrister."

No. 360

NOTIFICATION.

FORT WILLIAM, FOREIGN DEPARTMENT.

JUDICIAL.

The 30th November 1863.

The Governor-General in Council has been pleased under the authority of section 1 Act XXI of 1863, to direct the establishment from the 1st January next of a Recorder's Court for the town of Rangoon.

No. 114

The 26th February 1864.

Under section 10 of Act XXI of 1863, it is hereby notified that the Chief Commissioner of British Burma has, with the approval of the Governor-General in Council, fixed the following limits of the jurisdiction of the Recorder of Rangoon.

Limits of the jurisdiction of the Recorder of Rangoon.

On the east side of the river Irrawaddy (or Rangoon river) south of a line drawn from the northern extremity of Neikban village, in Kemmendine, passing to the north of the Thway-tshay tank, and royal lake, to the northern extremity of the village of Puzoondoung; on the west (or Dalla side) of the river, within a line drawn parallel with the river bank from the mouth of the Panlang creek, to opposite the mouth of the Puzoondoung creek, as shown by pillars; so much of the Rangoon river, of the Pegu river and of the Puzoondoung creek as is included in the port of Rangoon; and the whole course of the Rangoon river south of the port limit as far as the mouth of the said river, as shown by an east north-east line drawn from the beacon on the west shore to a pillar on the east bank of the said river.

No. 6.

JUDICIAL.

Fort William, the 15th April 1864.

Notification.—The Governor General in Council has been pleased, under the authority of section 1 of Act XXI of 1863, to direct the establishment, from 1st May next, of a Court of Judicature for the town of Maulmain, to be called the "Court of the Recorder of Maulmain."

No. 442.

NOTIFICATION.

HOME DEPARTMENT,

SIMLA, the 26th July 1865.

The following revised boundary defining the jurisdiction of the Recorder of Maulmain, is published with the sanction of His Excellency the Governor-General in Council, in rectification of the limits published in the *Gazette of India* of May 14th, 1864:—

Limits of the jurisdiction of the Recorder of Maulmain.

From a pillar on the northern extremity of Amherst island, thence eastward to a pillar on the right bank of the Wagroo creek, and thence along the left bank of the Salween river, northward, to a pillar on the right bank of the Kyouktan creek. From the mouth of the Kyouktan creek and up the right bank of the creek to where the Kyouktan road meets it, along the Kyouktan road, north, to its junction with the upper Mopoon road, thence along the latter road to its junction with the Nantay road, thence along the Nantay road to Nantay village, thence along the left bank of the river Attaran to the landing

place called Ngyoung Benzeik, and then still along the left bank of the Attaran river to its junction with the Gyne Salween, marked by a pillar on the left bank, thence across the Attaran stream to a pillar on the right bank and northward skirting the shore of the mainland to a pillar on the left bank of the Gyne river, thence across the said Gyne river to a pillar lying N. by E. on the right bank of the said river. Thence north along a line 1,000 feet from the bank of the Kuddo stream to a pillar south of the village of Yau-thit, thence to a pillar in a westerly direction on the extreme north point of Kau-ka-mee island, thence along the western bank of the said island to a pillar on its southern extremity. Thence along a line, passing southward, down the centre of the stream and westward of the island of Kyun-thit, to the pillar on the left bank of the Attaran river, where that river falls into the Gyne Salween, thence along the left bank of the Salween to Battery point, but including the island of Goung Tsee Guen. From Battery point across the whole breadth of the Salween river, described by a line drawn west, to a pillar on the north point of the island of Kau Mopoon, thence along the eastern shore of the island of Kau Mopoon, and on southward, along the eastern shore of the island of Beeloo Gyoon, continuing still southward along the eastern shore of the Long island, and thence in a south-westwardly direction to a pillar on the southern extremity of Beeloo Gyoon island, and thence southward to a pillar on the northern extremity of Amherst island.

In the limits above described, the boundaries of the Recorder's jurisdiction along the banks of the rivers and streams, extend to low-water mark.

ACT No. III of 1866.

Passed by the Governor General of India in Council.

(Received the assent of the Governor General on the 26th January 1866).

An Act to confer certain increased powers on the Registrars of the Recorders' Courts in British Burma, and for other purposes.

Preamble.

Whereas it is expedient to confer upon the several Registrars of the Recorders' Courts in British Burma certain increased powers; it is enacted as follows:—

Power to Registrars appointed under Act XXI of 1863 to make certain orders interlocutory.

1. Every Registrar appointed under Act No. XXI of 1863 *(to constitute Recorders' Courts for the towns of Akyab, Rangoon and Maulmain in British Burma, and to establish Courts of Small Causes in the said towns)* may, in the absence of the Recorder of the Court to which such Registrar is appointed, make all such orders for arrest before judgment, for attachment of property before judgment, for the protection, management, and custody of property in dispute in any suit, for injunctions restraining breaches of contract or wrongful acts, as such Recorder if present might make.

Such orders may be altered or reversed on application.

2. Every order made by any Registrar in the exercise of the powers conferred upon him by this Act may be altered or reversed upon the application of any person, whether a party to the suit or not, who may deem himself to be aggrieved by such order.

Application may be made to and disposed of by Registrar.

3. Every such application may be made to and disposed of by the Registrar of the Court in which such order shall have been made, in the absence of the Recorder of such Court.

Registrar to take down evidence.

4. The Registrar to whom any such application shall be made shall take down the evidence given upon the hearing of such application.

Appeal against orders made by Registrar.

5. Every order made by a Registrar in pursuance of this Act shall be subject to an appeal, under the general rules applicable to appeals from orders to the Recorder of the Court by the Registrar of which such order shall have been made.

Power to appeal to Recorder in his absence.

6. In case of the absence of the Recorder before whom the appeal is brought, the person appealing may make such application by way of petition, and may require the Registrar from whose order such appeal shall be brought, to transmit to such Recorder copies of such petition and of all the evidence received by the Registrar upon the hearing of the application from the order upon which such appeal shall have been brought.

Power to Recorder to alter or reverse the order appealed against.

7. Such Recorder may affirm, alter, or reverse the order from which such appeal shall be brought, or postpone the further consideration of such appeal until the next sittings of the Court in which such order shall have been made.

Time within which appeals to be brought.

8. No appeal from any order made by any Registrar under the powers conferred by this Act, nor any application to alter or reverse such order, shall be brought after the conclusion of the sittings of the Court in which such order shall have been made, which shall commence next after the making of such order.

Registrar to receive affidavits and administer oaths.

9. Every Registrar appointed under the said Act shall have power to receive affidavits and to administer oaths and affirmations in all suits which may or shall be depending in any Court established under the said Act.

Trial of case in which Recorder is a party or witness.

10. In case the Recorder of any Court, established under the said Act, shall be a party or a necessary witness to or in any suit or proceeding

instituted in such Court, such suit or proceeding and all applications therein shall be heard and determined by the Commissioner of the division in which such Court shall be situated, and such Commissioner shall in every such suit or proceeding have and exercise all the powers by the said Act or by this Act vested in such Recorder.

Provision for vacancy of the office of Recorder.

11. Upon the happening of a vacancy in the office of Recorder, and during any absence of a Recorder from British Burma, the Governor General of India in Council shall appoint any person, with such qualifications as are required by the said Act in persons to be appointed Recorders, to perform the duties of Recorder. The person so appointed shall be authorized to sit and perform the duties of Recorder until some person shall have been appointed by the Governor General in Council to the office of Recorder and shall have entered on the discharge of the duties of such office, or until the Recorder shall have returned from such absence.

Registrar's powers as a Small Cause Court Judge exercisable by Recorder.

12. So far as regards Small Causes, all or any of the powers and duties conferred and imposed on any Registrar by this Act, or under or by virtue of sections 35 and 36 of Act No. XXI of 1863, may be exercised and performed by the Recorder of the Court to which such Registrar is attached.

Power to appoint an officiating Registrar.

13. Whenever any person holding the office of Registrar under Act No. XXI of 1863, shall obtain leave of absence or be disabled through illness from performing his duties, it shall be lawful for the Recorder of the Court to which such Registrar is attached, or, in his absence, for the Commissioner of the division in which such Court is situate, to appoint some person to officiate as Registrar; and such person while so officiating shall have the same powers and perform the same duties as the Registrar of such Court under this

Act and any other law for the time being in force. Any person appointed under this section may hold at the same time any other office under Government.

Power to make rules of practice.

14. The Recorder of any Court established under the said Act shall have power to make and issue general rules for regulating the practice and procedure of his Court, and to prescribe forms for every proceeding therein for which he shall think that a form should be provided, and from time to time to alter any such rule or form; and the rules so made, and the forms so framed, shall be published in the official gazette, and after being so published shall be observed and used in the said Court. Provided that such rules and forms shall not be inconsistent with the Code of Civil Procedure or any other law for the time being in force, and shall, before they are published, have received the sanction of the Chief Commissioner of British Burma.

This Act to be read with Act XXI of 1863.

15. This Act shall be read with, and taken as part of, the said Act No. XXI of 1863.

No. D.

JUDICIAL.

Fort William, the 15th April 1864.

Notification.—Under section 31 of Act XXI of 1863, the Governor-General in Council has been pleased to appoint a Registrar to the Court of the Recorder of Rangoon, and a Registrar to the Court of the Recorder of Maulmain.

Under section 35 of the same Act, the Governor General in Council has been pleased to invest both the above officers with jurisdiction to hear and determine suits of the nature cognizable by them as Small Cause Court Judges, in which the amount or value does not exceed five hundred rupees.

GENERAL RULES AND ORDERS FOR THE COURT OF THE RECORDER AT RANGOON.

SECTION I.

Court documents how to be written.

1. All the proceedings of the Court, and all pleadings, processes, and exemplifications filed, or used in Court, shall be commenced, continued, and written in a clear legible hand, or printed on paper of uniform size, and with a margin on the left hand side not less than one and a half inch broad; and with a right hand margin not less than half an inch broad. Until arrangements have been made for the impress of dry stamps on foolscap, the stamped sheets at present supplied by the vendors may be used, being folded inwards to the size of foolscap.

All documents processes and the like issuing from the Court to bear seal of Court.

2. Every summons, subpœna, injunction, writ, order, and other process issuing from the Court in any suit whatsoever, shall be headed and intituled with the words, "In the Court of the Recorder

of Rangoon;" and every such process, summons, subpœna, writ, injunction, or other document, shall be signed by the Recorder or by the Registrar of the Court, and sealed with the official seal of the Court, and dated of the day on which the seal shall be impressed thereon.

Holidays.

3. The following holidays, and these only shall be kept and observed in the offices of the Court of the Recorder, and of the Registrar of the said Court, and Judge of the Court of Small Causes:—

New Year's Day,

Ash Wednesday,

Good Friday and the day after,

One week of the Burmese New Year,

Easter Monday and Tuesday,

The Queen's Birth-day,

One week at end of Burmese Lent,

The Prince of Wales' Birth-day.

Christmas Day, and the days between that day and New Year's Day.

Proviso.

Provided always, that when any of these holidays fall on a Sunday it shall be kept on the Monday following. No other holidays than the above will be allowed nor the offices allowed to be closed on any other day, except in extraordinary cases, where a public holiday may be proclaimed under the authority of Government. On Saturday, which is a half-holiday by order of Government, the Court will close at one o'clock, if the state of business allows of this being done.

Where process is returnable on expiry of a number of days stated, holidays shall not be included in calculating the number of days to be reckoned.

4. The officers of the said Court, as per margin, shall attend every day, except on holidays, from half past ten in the forenoon till half past four in the afternoon; and the offices shall be open to the public, from eleven A. M. till four P. M. The sittings of the Recorder or the Registrar, in his judicial capacity, may of course extend to any hour of the evening which public justice may require; but, for office business, the above hours shall be strictly observed.

Daily attendance required of chief clerk and record keeper, interpreters clerk of Court of Small Causes, bailiff, assistant bailiff. and clerk.

Nothing in this rule shall prevent the issuing of any process, or prevent the application for, or granting of, any execution, injunction, prohibition, sequestration, or other writ or process of a like nature, rendered necessary by the special and extreme exigency of any particular case, at other hours not above specified as office hours; provided always that no official order shall be made or signed at any place other than the Court house.

5. All pleadings, petitions, and matters in writing presented to, and placed on record in the Recorder's Court, shall be in the English language which is hereby declared to be the language of the Court. Where documents in any language other than English are necessary to be filed in the progress of a suit, they shall be accompanied by a fairly written English translation thereof, verified by a sworn translator licensed by the Recorder or Registrar. A list of such sworn translators, of the languages they are authorised to translate from, and of the fees chargeable for translations, (which shall be recoverable as costs) shall be suspended in the Court of the Recorder, and in the Court of Small Causes. Rules will be promulgated for the due licensing of sworn translators.

Language of the Court.

6. At each sitting of the Court, on the days for civil business, as fixed by Notification No. 1, after the receipt of plaints and petitions of all de-

Disposal of business.

scriptions, settlement of issues in cases standing for settlement, and orders, next shall be taken civil trials; 1st, undefended or *ex-parte;* 2ndly, defended and evidence cases. These shall be heard according to their number on the file.

List of cases for weekly disposal to be posted up in a conspicuous place every Monday.

7. The Registrar shall, on the morning of Monday in each week, cause to be posted in a conspicuous place in the Court house, a general list of the cases for disposal that week, in the order in which the same will be called on.

8. Where, from any unforseen contingency, such as is contemplated by section 48 of the Act, it may be necessary that an immediate and urgent step be taken in any case, whether such step be order or any other urgent procedure, not admitting of delay, examination of witnesses *de bene esse*, or trial, during the period when the Recorder is absent, or from any cause unable to attend to the duties of his office, the Registrar shall, on the written application of the party desiring immediate action, submit the case for order to the Commissioner of the province of Pegu.

Application for an assessor to aid the Court, how to be made.

9. When both parties to a suit, or either party shall desire that an assessor or assessors should, for the purpose of any particular case sit to assist the Recorder in the hearing thereof, under the provisions of section 30 of Act XXI of 1863, such party or parties shall apply to the Court by petition seven days before the day on which such cause is to be tried. The Recorder will hear and determine the application forthwith; and if it be ruled that an assessor or assessors shall be called in, the Registrar shall issue letters of request for the attendance of such assessors, who shall each receive for each day's attendance, the sum of twenty-five rupees, to be paid in advance to the Registrar, by the party or parties applying by petition, which payment shall be costs in the cause.

10. The Commissioner of division will be always furnished by the head clerk with a copy of the Monday weekly list ordered by rule 7, in order that the Court may have the advantage of the presence and assistance of the Commissioner in any case in which he may think fit to sit with the Recorder, as provided by section 47, of Act XXI of 1863.

Commissioner of division to be furnished with copy of weekly list under rule 7.

11. When a plaint is filed, there shall be delivered with it to the Registrar, as many copies thereof as there are defendants, for the use of the said defendants, to be delivered to them if applied for. A scale of allowance for these copies will be found in the schedule A annexed, which will be allowed for in taxation to the plaintiff, if successful, in addition to the advocate's fees. And in land, or disputed boundary cases, there shall be filed with the plaint, for the information of the Court and inspection of the defendant, a neatly drawn and colored outline sketch of the premises or land in dispute, executed by a competent person, for which also a reasonable fee will be allowed to the successful party in computing his costs.

Defendant to be supplied with copy of plaint.

12. On the day issues are declared in any suit where the summons has been for the settlement of issues, the Court will order the parties to name their witnesses, by filing lists of them in writing on the next lawful day, if not ready to do so at once. Subpœnas may issue as soon as the lists are filed.

Parties in a suit to file lists of their witnesses on Court's order.

SECTION II.

1. No letters addressed to the Judge shall be received, or attended to; but all applications shall be made to the Judge in open Court. No correspondence relating to suits instituted in, or proceedings before the Court, shall be entered into; parties having business with the Court shall transact the same in person, or by an advocate of

All applications to be made in open Court, in person by advocate or agent. Written communications and correspondence respecting suits prohibited.

the Court, or by a recognized agent. (section 16, Act VIII of 1859).

Interpretation of terms.

2. Whenever the singular number is used in these rules or in the schedule hereunto annexed, in reference to persons or things, it shall be understood when necessary to give full effect to the rules and the schedule to mean several persons or things; and every word importing the masculine gender shall also, when neccessary, be understood to include the feminine gender.

Officers prohibited from acting as advocate or agent, or standing security, advocates prohibited from standing security.

3. No officer of the Court, and no partner to such officer, shall act in any way as an advocate or recognized agent on account of suitors nor shall such officer, or his or their partner, nor shall any advocate of the Court become surety in any case where security is required.

All parties except certain females, liable to appear in person.

4. All parties to suits, except such females as are exempted by native usage, shall be liable to appear in person; but in cases in which any person shall desire to appear as the recognized agent of a party, he shall previously obtain the leave of the Court, and shall be constituted (from No. 1 in the schedule) in writing duly attested, such agent for the conduct of the proceedings (sections 18 and 21 Act VIII of 1859).

Recognized agents to be appointed by writing.

Joinder of claims.

5. Claims by husbands, in their own right, may be joined with claims in respect of which the wife must be joined as a party.

Division of cause of action prohibited, but excess may be abandoned.

6. No plaintiff, in the Court of Small Causes, shall divide his cause of action, for the sake of bringing two or more suits, but a plaintiff having cause of action for more than rupees 200, may abandon the excess, which shall be stated in the plaint and summons, and entered on the record, and thereupon the plaintiff shall, on proving his case, recover to an amount not exceeding rupees 200 and costs, in full discharge of all claims in respect of such cause of action (section 7 Act VIII of 1859).

7. The plaint shall be distinctly written, and shall contain— Particulars to be inserted in plaint.

1st. The name, description, and place of abode of the plaintiff.

2nd. The name, description, and place of abode of the defendant, so far as can be ascertained.

3rd. The relief sought for, the subject of the claim, and the cause of action.

It shall be signed by the plaintiff and his advocate, if any, and verified by the plaintiff in the manner required by law (sections 26 and 27 Act VIII of 1859).

8. At the time of entering the plaint, a note under seal of the Court, according to the form No. 2 in the schedule, shall be given to the plaintiff or his advocate, or recognized agent, and no money shall be paid out of Court to such advocate or agent, unless on production of such note, except by leave of the Court. Note to be given to plaintiff.

9. The summons shall be issued in the form No. 3 in the schedule, and shall bear the date of the plaint; the particulars thereof shall be duly entered in the record book, and every summons shall be made returnable in one week unless otherwise specially ordered. Summons to defendant.

10. Four clear days shall ordinarily be allowed to the bailiff for the service of summons; that is to say, the summons will ordinarily be made returnable on the fifth day from the registering of the plaint. When a plaintiff or his advocate has reason to apply for an emergent summons, the special grounds of emergency shall be stated by petitioner to the Court, or by a written memorandum at the foot of the plaint, and the Court may, if the grounds stated appear reasonable and warranted by facts, on an examination thereupon, grant summons returnable the next Court day. This will, however, only be done Service of summons.

where the plaintiff clearly shows exigency and probable loss by conformity with the ordinary rule which is based on section 45, Act VIII of 1859. Where the plaintiff apprehends such obstruction or delay, as is contemplated in section 81 of the said Act, the procedure therein laid down must be strictly observed.

Service of summons.

11. The bailiff is required to use such diligence in the service of summons, as soon as possible after they reach his office, that they may ordinarily be served on the party summoned forty-eight hours before he is called on to appear. If this is not done, it will be competent to the defendant to apply for a postponement.

Service of summons.

12. Every summons to appear to a suit shall be served by one of the bailiff's peons two clear days before the holding of the Court at which the defendant shall be summoned to attend, unless otherwise ordered; and in case the peon shall not be able to serve the same within the time limited for that purpose, the plaintiff, on satisfying the Court that he has used diligence in pointing out the defendant, may by order of the Court, take out, paying the regulated charge for the same, successive summons returnable at such time as the Court may order, in continuation of and founded upon the first summons.

Service of summons.

13. Service of a summons to appear to a suit shall be by delivering or tendering a copy, under the signature of the Recorder or Registrar and seal of the Court, to the defendant in person; and, in case it is found that the defendant is evading service, the Court may order the same to be served on any adult male member of his family residing with him, or make such order as it may think fit, as to substitution of service; and in all cases the plaintiff, or his agent, shall, if required by the bailiff so to do, accompany the peon to point out

the defendant or his place of abode or business (sections 48, 53, and 57, Act VIII of 1859).

Service of summons on military persons.

14. When a defendant shall be living or residing in any military lines, barracks, or quarters, and serving Her Majesty as an officer or soldier, it shall be sufficient service to deliver a sealed copy of the summons to the commanding officer of the corps to which the defendant belongs (section 62, Act VIII of 1859).

Court shall order in what manner service shall be made when difficulties arise.

15. When any defendant shall, by keeping his place of abode or place of business closed, or by violence, or threats, prevent any peon from serving any summons as herein before directed, and the Court shall have so ordered, such summons may be affixed conspicuously on, or near, to such place of abode, or business, or otherwise served, as nearly as may be according to the mode herein directed, and such service may be deemed good service. In all cases in which difficulties arise, as to the service of any summons, the Court, on special application, shall order in what manner such service shall be made.

Return of summons.

16. The peon who serves the summons shall endorse thereon, in his own language, the time and manner of service, and deliver the same to the bailiff, who shall certify the service and deliver the same to the head clerk, who shall file it, having first transferred the particulars to the register book.

Summons to witness.

17. The summons to a witness, shall be in the form No. 4 in the schedule, and shall, except when otherwise ordered by the Court, be served personally on such witness, and the service shall be made, in all cases, a sufficient time before the date of hearing to allow of preparation for, and attendance at the Court. The space of time to be thus allowed not to be less, except under the order of the Court, than 24 hours.

Cost of service of process.

18. All process requiring service, shall be sued out at the expense of the party applying for the same, and the sum required to defray the costs of such service shall be paid into Court before the process is issued (section 2, Act XXIII of 1861, and section 151, Act VIII of 1859).

Amendment. Representative character.

19. Where a party sues, or is sued, in a representative character, but at the hearing it appears that he ought to have sued, or been sued, in his own right, the Judge may, at the instance of either party, and on such terms as he shall think fit amend the proceedings accordingly; and the suit shall then proceed in all respects, as to set-off and other matters, as if the proper description of the party had been given in the summons.

Amendment. Misnomer or description of plaintiff.

20. Where the name or description of a plaintiff in the summons is insufficient, or incorrect, it may, at the hearing, be amended at the instance of either party, by order of the Judge, on such terms as he shall think fit; and the suit may then proceed as to set-off and other matters, as if the name or description had been originally such as it appears, after the amendment has been made.

Amendment. Misnomer or description of defendant.

21. Where the name or description of a defendant in the summons is insufficient, or incorrect, and the defendant appears, and objects to the description, it may be amended at the instance of either party, by order of the Judge, on such terms as he shall think fit, and the suit may proceed, as to set-off, and other matters, as if the name or description had been originally such as it appears after the amendment has been made; but if no such objection is taken, the suit may proceed, and in the judgment and all subsequent proceedings founded thereon the defendant shall be described in the same manner.

Amendment. Husband and wife.

22. In suits by or against a husband, if the wife is improperly joined, or omitted as a party,

the summons may, at the hearing, be amended at the instance of either party, by order of the Judge, on such terms as he shall think fit: and the suit may proceed, as to set-off and other matters, as if the proper person had been made party to the suit.

Amendment. Parties.

23. When it appears at the hearing, that a greater number of persons have been made plaintiffs than by law is required, the name of the person improperly joined may, at the instance of either party, be struck out by order of the Judge, on such terms as he shall think fit; and the suit may proceed, as to set-off and other matters, as if the proper party or parties only had been made plaintiffs.

Amendment. Parties.

24. Where it appears at the hearing, that a less number of persons have been made plaintiffs than by law is required, the name of the omitted person or persons, may, at the instance of either party, be added by order of the Judge, on such terms as he shall think fit; and the suit shall proceed, as to set-off and other matters, and judgment shall be pronounced as if the proper persons had been originally made parties (section 73, Act VIII of 1859).

Payment into Court.

25. When the defendant admits that he is liable to pay the debts and costs of the suit, and pays the money into Court, the sum so paid shall include all necessary costs in Court up to that time incurred by the plaintiff, and the payment into Court shall be duly recorded by the Registrar.

Tender.

26. When the defence is a tender, such defence shall not be available, unless before or at the hearing of the suit the defendant pays into Court (which may be without costs) the amount alleged to have been tendered.

Set-off.

27. When a defendant is desirous to set-off any debt or demand alleged to be due to him from the plaintiff, he shall produce the particulars of such set-off in writing, at the time of his appearing to answer, unless otherwise ordered by the Court, which said particulars shall be forthwith filed by the Court (section 121, Act VIII of 1859).

Amendment. Substitution of a defendant.

28, When a person other than the defendant appears at the hearing, and admits that he is the person whom the plaintiff intended to charge, his name may be substituted for that of the defendant, if the plaintiff consents, and thereupon the suit shall proceed as if such person had been originally named in the summons; and if necessary, the hearing may be adjourned on such terms as the Judge shall think fit, and the costs of the person originally named as the defendant, shall be in the discretion of the Judge.

Rectification of misnomer or mis-statement.

29. No misnomer, nor mis-statement of the cause of action shall vitiate the summons, and the Judge may, in his discretion, rectify such misnomer or mis-statement, as soon as discovered, and alter the record accordingly; and if the defendant or one of the defendants be present in Court at the time of such discovery, the hearing shall proceed as if no such amendment had occurred; but, in the absence of the defendant, a fresh summons shall issue.

Daily list of cases.

30. A daily list shall be prepared of the cases set down for hearing, and such list shall exhibit the No. of each case, with the names of the parties. The Court officer shall indicate each case in its regular order on the file; and shall call the parties in an audible voice; when, if they fail to appear, the suit shall be dismissed. If the plaintiff alone appears, the case shall proceed in the absence of the defendant, due service of the sum-

Trial.

Costs.

mons having been first proved, and judgment may be pronounced as if the defendant was present. If the plaintiff is absent, and the defendant appears, and disputes the claim, the Court will pronounce judgment by default, passing such order as it may deem expedient, as to the payment of costs to the defendant. If the defendant admits the claim, the Court will satisfy itself of his identity, and pass judgment upon such admission. All costs are in the discretion of the Judge; the judgment will, in every case, direct by whom the costs of each party are to be paid (sections 110, 111, 114 and 187, Act VIII of 1859).

Duplicate list to be affixed in Court.

31. A duplicate list of the cases to be heard during the day, shall be affixed in some convenient and conspicuous part of the Court, for the use of the parties.

Duties of ministerial officer in attendance on Court.

32. The clerk of the Court will each morning have the papers relating to each case, including the plaint, written statement, answer, summons to witnesses, and any documents which may have been deposited in Court by the parties to the suit carefully arranged, and shall keep each file of papers in a distinct bundle, placed in the order in which the cases are set down for hearing, so that he may, without delay, be able to furnish the Court with any case or paper which may be required.

Notes of judgment to be given to parties.

33. On the judgment having been pronounced, before the parties leave the Court, they will be furnished with a short note of the same, in the forms Nos. 11 and 12 of the schedule, the plaintiff's note being in red ink, the defendant's in black, and that supplied to the plaintiffs in ex-parte cases in blue ink.

Arbitration.

34. In cases where the parties desire that the matters in difference between them shall be referred to arbitration, and shall agree upon the

arbitrator or arbitrators, the Court may issue the order No. 10 in the schedule, under seal of the Court, and shall pronounce judgment upon the award delivered under the said arbitration order.

Arrest before judgment.

35. If the Court shall be satisfied that a defendant against whom a summons has been issued, with a view of obstructing or delaying the execution of any decree that may be passed against him, is about to leave the jurisdiction of the Court, or has disposed of, or removed his property, or any part thereof, from the jurisdiction of the Court, a warrant may issue in the form No. 7 in the schedule, to bring the defendant before the Court, when, if he fails to give security for his appearance, the Court may order the said defendant to be committed to custody (see form No. 9 in the schedule) until the decision of the suit or execution of the decree. (sections 74 to 78, Act VIII of 1859).

Execution.

36. The time for issuing warrant on any decree or order, shall be one week after the making thereof, unless immediate execution shall have been ordered by the Court. The term of imprisonment shall be such as the Judge shall think the case demands; not to exceed the term of three months for amounts not exceeding rupees 50, and in no case to exceed the term of six months, as by law prescribed (section 278, Act VIII of 1859).

Execution.

37. No warrant of execution or commitment shall be executed after the expiration of one calendar month from the date thereof; but a second and successive warrants may be issued at the expiration of one calendar month from the date of each, on payment of the prescribed costs, by the party suing out the same; provided that no warrant of execution shall issue upon any judgment or order of the Court, after the expiration of one year from the date of such judgment or order,

except by leave of the Court (section 216, Act VIII of 1859).

38. In cases of claims to property taken under execution, the parties shall be brought before the Court, by the summons No. 21 and 22 in the schedule. The defendant in the original suit shall also be brought before the Court by a summons, to give evidence, if necessary, at the instance of the Court itself. The Judge will then decide upon the rights of the parties, and pronounce his decree, which may be enforced under the forms Nos. 23 and 24 in the schedule. Cross claims.

39. When any claims shall be made to, or in respect of, any goods or chattels taken under the process of the Court, or in respect of the proceeds or value thereof, by any person not being the party against whom such process has issued, the claimant shall forthwith state to the Court the particulars of the goods or chattels alleged to be his property and the summons in the proceedings to try the right to such property, shall be made returnable on the fifth day after the issuing thereof. Cross claims.

40. Every warrant of execution shall be returnable within one month, and the bailiff, if he shall not have executed such warrant, shall return the same to the Court at the expiration of that time. Return of warrant of execution.

41. The bailiff, and every peon levying, or receiving any money by virtue of any process issuing out of the Court, shall forthwith, or on the day after the receipt thereof at the furthest, pay the same into Court. Peons to pay money into Court.

42. No summons, notice, or order, or any execution on a judgment, or any other process whatsoever, shall be served or executed on Sunday, Christmas Day, or Good Friday; nor shall such days be counted in the computation of the time required by these rules. Holydays.

Receipts to be granted to parties.

43. A receipt or memorandum shall be granted for all sums of money paid into Court by suitors, and no money shall be paid out of Court to the party paying it in, unless on production of the said receipt or memorandum, or by order of the Court.

Party seeking execution to deposit diet-money.

44. Notice of the execution of any such process shall be forthwith given to the person at whose suit it issued, who shall thereupon deposit with the keeper of the prison, subsistence money for the remainder of the month in which the warrant is executed, and shall continue thereafter to deposit monthly with the said keeper in advance, and before the first, subsistence allowance at the same daily rate, for each month during which the debtor is liable to be kept in prison at his suit.

If not deposited, prisoner to be released.

45. If the subsistence allowance is not paid as above directed, the prisoner shall be entitled to his discharge (section 278, Act VIII of 1859).

Diet-money to be costs.

46. All subsistence allowance paid to prisoners shall be costs in the suit, and all subsistence allowance not paid to the prisoner, shall be returned to the party who originally paid it in, (section 279, Act VIII of 1859).

New trial.

47. No new trial shall be granted in the Court of Small Causes, unless the party desirous thereof shall apply for the same within one month after the trial, and unless he shall (when a defendant) previously pay the debt or damages and costs into Court. Immediate notice of such application for a new trial, (in the form No. 13 in the schedule) shall be given to the other party to the action (section 12, Act XLII of 1860).

New trial.

48. When money has been paid by any party under any execution or order, if the head clerk receive notice from such party, of his intention to apply to the Court to set aside the execution or order under which the money shall have been

paid, or to grant a new trial, the same shall be retained until such time as such application shall have been determined on, or until the Court shall otherwise order.

Death of parties before judgment.

49. Where one or more of several plaintiffs or defendants dies before judgment, the suit shall not abate, if the cause of action survive to or against such parties (section 99, Act VIII of 1859).

After judgment.

50. Where one or more of several plaintiffs or defendants shall die after judgment, proceedings thereon may be taken by the survivors or survivor, or against the survivors or survivor (sections 208 and 210, Act VIII of 1859).

Married woman.

51. Where a married woman is sued singly, and she obtains judgment on the ground of non-liability, proceedings may be taken thereon in the name of the wife, at the instance of the husband.

Insolvent plaintiff.

52. Where the plaintiff has become insolvent before judgment, the suit may proceed to judgment at the instance of the assignee in the name of the plaintiff (section 106, Act VIII of 1859).

Process not to be set aside for irregularity.

53. No process of any kind shall be set aside for irregularity, but shall be amendable and amended at the discretion of the Court, upon payment of such costs, if any, as the Court may direct.

Judge to issue process not provided for.

54. In cases of proceedings not provided for by the forms in the schedule, the Judge shall issue the necessary process applicable to the case.

SECTION III.

PROCEEDINGS ON CRIMINAL TRIALS.

Introduction of prisoner.

1. The prisoner will be placed in the dock, if charged with any non-bailable offence; if charged with a bailable offence, he may be placed in front of the dock.

Selection of jurors.

2. The officiating Registrar shall then place in the ballot-box, loosely folded, the names of the jurors received from the Magistrate, each name being legibly written, at full length, on a piece of paper measuring three inches by one-and-a-half inch. The ballot-box shall then be shut and shaken, and the prisoner or prisoners at the bar shall be informed by the Registrar or interpreter as follows :—

"The jurors, whose names you will now hear called, are those who are to decide on oath, as to your being guilty or not guilty of the charge now preferred against you. If, therefore, you object to them, or any of them, you must object to them on their appearance, and before they are sworn, and you will be heard."

Objections how disposed of.

3. The Registrar shall then draw from the ballot-box, one by one, the names of jurors, until five jurors unobjected to by the Government Advocate, or by the prisoner or prisoners, shall have been drawn from the box. Any objections will be disposed of by the Court summarily, under section 343, of Act XXV of 1861.

Election of foreman.

4. The Registrar shall then say unto the jury, "gentlemen of the jury, choose your own foreman." Having done so, the foreman shall take his place in the jury-box, and the other jurors with him; and the Registrar shall swear the jurors in the words and manner following, administering the oath first to the foreman, and thereafter to each juror individually. "You shall well and truly try the prisoner at the bar, and a true verdict given according to the evidence,—so help you God."

Charge read to jury and prisoner.

5. The jury having been sworn, the Registrar shall say, "gentlemen of the jury, listen to the charge now read by me, against the prisoner;" and, "prisoner at the bar, listen to the charge

now read to you, and which will be explained to you if you desire it." The charge shall then be read, and, if necessary, explained to the prisoner in a language which he understands, if he is not acquainted with the English language. After the charge has been so read and explained, the Registrar shall say unto the prisoner,—"prisoner at the bar, you have now heard the charge against you explained to you. How do you say,—are you guilty of the offence charged against you, or do you claim to be tried?" If the prisoner plead "Guilty," the provisions of section 362, of Act XXV of 1861 shall be followed. If he claim to be tried, the Registrar shall say unto the jurors, "gentlemen of the jury, you have heard the prisoner claim to be tried; it is therefore your duty to hear and consider the evidence, and decide whether he be guilty or not, and to inform this Court what your finding is hereon, and by what majority you so find."

Opening of the prosecution.

6. The Government Advocate or other officer officially empowered in that behalf, shall then open the prosecution to the jury, briefly stating the charge, and the nature of the evidence by which it is intended to support that charge. The evidence for the prosecution shall then be taken, and the witnesses examined, cross-examined, and re-examined according to law.

Opening of the defence.

7. After the Government Advocate announces the case for the prosecution closed, the advocate for the defence, if any, or the prisoner in person, may then address the Court, and the trial proceed as prescribed by sections 372 to 376, Act XXV of 1861, and the remainder of the trial in conformity with section 379 of the said Act.

RULES

CONCERNING THE ADMISSION AND PRACTICE OF ADVOCATES, IN THE COURT OF THE RECORDER AND COURT OF SMALL CAUSES IN THE TOWN OF RANGOON.

Preamble.

WHEREAS by the 16th section of Act XXI of 1863, it is enacted, that no person shall be permitted to appear and act as the advocate of any suitor, in any Court held under the said Act, in any action or suit, or touching any matter whatever, unless such person shall have been previously licensed by the Recorder of such Court, to act for the suitors of such Court generally, or especially for the particular occasion; AND WHEREAS, it is further enacted by the said 16th section of the same Act, that it shall be lawful for the Recorder to make rules for the admission of proper persons to act as advocates in the said Court; it is hereby ordered, that the following rules be established for the admission of persons, other than those whose right to act as advocates without license, is reserved by the said section.

What persons qualified to practice as advocates.

1. All barristers-at-law, or advocates of the Scotch bar, all advocates of any High or Supreme Colonial Court duly authorized by Royal Charter to admit advocates, and all certificated pleaders of the first class, using the English language, of not less than five years standing, now practising in the Courts of the British Burma commission shall be entitled, *de jure*, to admission to practice as advocates in the Court of the Recorder and Court of Small Causes on the proof of their qualification as above, by production of their certificates, or act of call, should such evidence be required by the Recorder.

2. Gentlemen desirous of admission as advocates and not qualified *de jure*, as provided in the first rule, will be required to submit to the Recorder, testimonials of character, from two known respectable residents of these provinces, or from other undoubted sources, and the Recorder may then either pass order for the candidate's admission as an advocate, or may direct him to be examined in the manner herein-after described.

Unqualified persons how to apply.

3. When gentlemen qualifying under the second rule are admitted the order for their admission shall be signed by the Recorder, and all gentlemen qualifying under either the first or second rules, shall, on admission, sign the roll of advocates and have right of seniority according to their order on the said roll, reserving always to the Government Advocate the right of precedence, to which he is now entitled by custom, in virtue of his office.

4. Where, as provided by the latter part of the second rule, the Recorder shall direct an applicant to be examined, he shall remit the candidate for examination by a committee of the three senior practising advocates, who shall examine the applicant in the useful branches of a liberal education, and in the Law of evidence, the Codes of Civil and Criminal Procedure, the Penal Code, and such other authorities as may be convenient. The examination shall be conducted by written questions upon each subject, and if the examination be satisfactory, the senior examiner shall so report to the Recorder, who shall thereupon direct the candidate to be admitted; but if unsatisfactory, the candidate shall have the right of appeal to the Recorder, whose orders thereon shall be final.

If examination necessary how to be conducted.

5. And whereas, the 18th section of Act XXI of 1863 directs that the fees to be received by all advocates shall at all times be subject to the con-

Scale of fees to be regulated by the Recorder.

trol and taxation of the Recorder, it is ordered that the scale of fees for the remuneration of pleaders heretofore set forth by authority, in the 520th section of the Pegu Civil Code, and the general rules in respect thereof set forth in the 521st, 522nd, 523rd, 524th, 525th, 526th, 527th, 528th, and 529th sections of the said Code, shall be in force for the present and until further orders in respect of advocates of the Court of the Recorder. *Provided always*, that in taxation of costs, it shall be competent to the Recorder to allow costs for extra attendances, special opposed notice, and postponements, in no case exceeding two gold mohurs, for each such case, wherein it shall appear to the Court, in its discretion, that such extraordinary fee should be allowed, and on an order for such fee being placed on the record.

Proviso.

6. All persons now on the rolls of the Courts of the British Burma commission as certificated pleaders, are entitled *de jure*, to admission as advocates in the Court of Small Causes, established by Act XXI of 1863.

Mode of applying for admission as advocate.

7. All persons hereafter seeking to be admitted as advocates in the Court of Small Causes will be required to submit with their petition for admission, a certificate from some advocate, that such applicant has, for the space of not less than one year been regularly employed in the office of such advocate in the study of the law, and active details of practice; or a certificate from some first class certificated pleader of the commission Courts that such applicant has been employed in his office for a space of not less than three years, in the manner before expressed; and shall submit with such application and certificate testimonials of character, signed by two known respectable inhabitants of these provinces. Should these be satisfactory, a day will be appointed for the examination of the candidate, by a committee of

three practising advocates chosen in rotation according to seniority, who will examine the applicant in the Code of Criminal and Civil Procedure, the Rules of practice, the Penal Code, and the Law of evidence, and report the result to the Registrar or Judge of the Court of Small Causes. If the report be favorable, the applicant will be at once admitted an advocate in the Court of Small Causes and his name placed on the list which will be suspended in each Court. If unsatisfactory, the applicant may appeal to the Recorder who may make such order thereon as shall be necessary.

Order of admission by whom made.

8. The order of admission for advocates in the Court of Small Causes will be made by the Recorder. Persons thus admitted, shall be entitled on filing in Court in each case their written power or deputation, to appear, plead, and act for and on behalf of suitors, in the Courts of Small Causes at Rangoon either alone, or with an advocate of the Recorder's Court; but shall not be admitted to plead, or argue their clients cases, in the Court of the Recorder.

Disposition of fees.

9. Fees amounting to one-half those allowed in taxation to advocates of the Recorder's Court shall be allowed in taxation to advocates in the Court of Small Causes and be recoverable as costs in the case, from the party against whom costs may be awarded.

10. It shall be competent to any advocate of the Court of Small Causes admitted under these rules, to apply to the Recorder, after such person has attained three years standing, to admit him to the grade of advocate of the Recorder's Court.

IN THE COURT OF THE RECORDER OF RANGOON.

NOTIFICATION NO. 2.

Rules for the service and execution of the processes of the Court of the Recorder of Rangoon, and Court of Small Causes, and table of fees to be allowed to the persons employed in such service or execution; made and issued by the Recorder, and sanctioned by the Chief Commissioner, under the provisions of Act XXI of 1863, section 19.

I. The bailiff is charged with and is responsible for the due service and execution of all processes. He will maintain an establishment of 6 peons at 10 Rs. a month each, who will be paid by him out of the fund produced by the fees levied according to the table given below, and submit on the first Court day of each month an account to the Registrar shewing the amount of fees received by him in each month, from which will be deducted the pay of the peons and the balance be paid over to the treasury on the said day, to be dealt with agreeably to the provisions of the peons Act No. XI of 1863, section 7.

II. The bailiff shall note upon every process which he receives from the head clerk, the date and hour of its receipt, the date and hour at which it was sent out for service or execution, and the date and hour at which it was returned, served or executed or unserved or unexecuted into the bailiff's office.

III. The following is the table of fees referred to in the first rule.

IN THE COURT OF THE RECORDER.

For the service of any summons, injunction, notice or order... ...1 rupee.
Extra copies where more parties than one are to be served ... ...4 as. each.
For the service of each subpœna ...8 annas.
For the execution of any warrant of attachment or sale ... ...2 rupees.
Each peon in possession or charge, per day... ... ...6 annas.

IN THE COURT OF SMALL CAUSES.

For service of summons... ... ...8 annas.
Each extra copy ... ...2 annas.
For service of each subpœna... ...6 annas.
For execution of warrant ... ...1 rupee.

Where boat hire is required for proceeding down the river an allowance of five (5) rupees per diem will be sanctioned.

IN THE COURT OF THE RECORDER OF RANGOON.

NOTIFICATION NO. 4.

Dated 5th January 1864.

In pursuance of the 5th clause of the general rules and orders for the Court of the Recorder, sworn translators in the languages specified below have been appointed and are hereby licensed to act. Fees for translations verified by sworn translators to be charged at the rate of one rupee for seventy-two words.

Two in Burmese.
One in Tamil.
One in Armenian.

IN THE COURT OF THE RECORDER OF RANGOON.

NOTIFICATION NO. 9 OF 1864.

Dated 24th October 1864.

For the better ordering of the business of the Court, it is hereby notified that, the following rules of practice, adopted from the rules of the High Court in Calcutta will be in force from the 31st instant.

I. Each case set down on the file for hearing shall be called in its turn and then heard, unless the Court shall otherwise order.

II. If neither party shall appear when duly called in Court, the suit shall be dismissed or the plaintiff non-suited; but without costs.

III. If the Plaintiff shall appear, and the defendant shall not appear, or not be ready, the cause shall be called and heard in the usual way; unless on the application of the defendant, and on such terms as to costs as may seem just to the Court, the hearing shall be allowed to be adjourned or postponed.

IV. If, when the cause is called in its turn, the plaintiff shall not appear, or shall not be ready to proceed, and the defendant shall appear, the plaintiff shall be non-suited, unless the Court on the application of plaintiff and on payment of the day's costs (if ordered) shall think fit to give further time for the hearing of the case.

V. Provided always, that if within seven days after such judgment of non-suit shall have been given, the Plaintiff shall appear and shew to the Court sufficient cause for his previous non-appearance, the Court may order such non-suit to to be set aside on such terms as to costs and otherwise as to the Court shall seem fit.

VI. In cases in which the Court shall call for written statements, the parties shall deliver into Court such statements four clear days before the day of hearing, and if such statements shall not be delivered within the period limited, the hearing of the suit shall be adjourned.

VII. If one of the parties shall fail to deliver his written statement within the period limited, he shall pay the costs occasioned by the adjournment, unless the Court shall otherwise specially direct. But if both parties shall fail to deliver their written statements within the period limited, the costs of such adjournment shall be costs in the cause, unless the Court shall otherwise order.

VIII. Each party after delivering in his own written statement shall be entitled to receive from the opposite party, a copy of such opposite party's written statament.

RULES FOR THE REGISTRY OF DEEDS IN THE PROVINCE OF PEGU.

PASSED BY THE COMMISSIONER AND AGENT TO THE GOVERNOR GENERAL ON THE 10TH AUGUST 1861, AND MADE APPLICABLE TO THE PROVINCE OF BRITISH BURMA, VIDE CHIEF COMMISSIONER'S CIRCULAR NO. 117, DATED 1ST JULY 1865.

Offices for the registry of deeds where to be established.

1. An office for the Registry of deeds shall be established at every town in the province, where there is stationed a Deputy Commissioner, Assistant or extra Assistant Commissioner.

What officers to be appointed Registrars.

2. The Assistant or Extra Assistant Commissioner at each town will officiate at their respective stations as Registrars of deeds.

NOTE.—The rate for copying proceedings sanctioned by the Court, is one rupee per page of 24 lines.

What deeds to be registered.

3. The registrar is authorized and required to register all deeds, instruments and writings of every description, which may be brought to him for that purpose, provided they are written either in the English or Burmese language, and provided they do not contain any thing repugnant to positive law or morality.

No deed to be registered unless drawn up on the prescribed stamp.

4. No deed, instrument or writing of any kind to be registered, unless drawn up on paper bearing the stamp prescribed for it by any law that may at the time be in force.

In registering deeds what rules to be observed.

5. Whenever any person may be desirous of procuring any deed to be registered, he shall attend either in person, or by an authorized representative, at the office of the Registrar, with the original deed, and an exact copy of it, which copy may be on plain paper, attested by one at lest of the parties to the instrument, and by one of the witnesses to the execution of it. The Registrar, after having satisfied himself as to the identify of the person registering in person, or ascertained the due attestation and validity of the mooktarnamah, if by attorney, after comparing the original with the copy (all transcripts in which interpolations, interlineations or erasures may be apparent to be rejected) above required to be furnished, will specify, without loss of time, on the back of the latter, the date and hour of the day on which it was presented for the purpose of being registered. He will then cause it to be filed according to the order of time in which it may have been received, and enter it in the register book according to the same order, certifying in the same book the day and hour in which the entry was completed and inspected by him.

Original deed to be returned with a certificate endorsed thereon.

6. On completion of the entry in the manner above stated, the registrar shall return the original deed to the person from whom it may have been received, with a certificate, under his signa-

ture, endorsed on the deed, specifying the date and hour of the day in which it was registered and the number of the page on which it is entered in the register book.

Entry in register how to be made.

7. The entry in the register book shall in all practicable cases be made at the time of endorsing the copy required to be furnished; but the insertion of it shall on no account be postponed beyond the day in which the endorsement may be made.

Course of procedure in registry of deeds.

8. Deeds may be registered in any registry office, whether such office be in the district where the property, or any part thereof, to which such deeds relate is situated or not; provided always, that when the registry office in which a deed is registered is in a district in which the whole of the property to which such deed relates is not situated, it shall be the duty of the Registrar of the said office to forward to the office of the district or districts, in which the whole or any part of such property is situated, a copy of the deed as registered and endorsed in his office, the same copies to be furnished and attested as described in para. 6; and the Registrar of any office receiving such copy so furnished, shall clearly register the same as if it had been presented to him in the first instance by the party registering it.

Fee for copy transmitted.

9. For every copy required for transmission to any office as aforesaid, the party registering shall pay the usual fee and postage, and the registrar receiving the fee, shall duly account for it to the several Registrars to whose offices copies may be transmitted for registry.

Duties of Registrar.

10. The Registrar shall, on application being made to him, allow all persons to inspect the register books as well as grant copies of all deeds and other writings registered by him, to persons whom they may concern, and in the event of its being proved that the originals have been lost or

destroyed, or that from some other good and sufficient reason they cannot be produced, then such shall be received as sufficient evidence of such deeds or writings, on proof being made by the subscribing witnesses to the original deed or writing that the original was duly executed.

Copies of deeds how to be stamped.

11. Copies of deeds required from the office of a Registrar of deeds must be written on a stamp of the same value as the original deed.

Description of Registers to be kept.

12. The following distinct registers shall be kept in each office :—

1.—Deeds of sale, gift, and *permanent* conveyances of immovable property.

2.—Deeds of mortgage, lease, and all *temporary* conveyances or assignments of immovable property, and certificates of release thereof.

3.—Bills of exchange, promissory notes, bonds, and other obligations for the payment of money, and generally agreements, contracts, and undertakings of every description, not connected with immovable property.

4.—Wills, marriage settlements, and the like. These registers shall be respectively distinguished as follows :—

1.—Permanent conveyance register.

2.—Temporary conveyance register.

3.—General register.

4.—Register of wills.

Registers how to be made and kept.

13. Register books to be made of English paper, carefully bound, and each species of deed entered in its appropriate register, every leaf of which must be paged and attested by the Registrar, who will note in his own handwriting on

the last page of each book, the number of pages contained in it, and attest the note with his official signature. No register shall be deemed authentic, excepting such as shall be so paged and attested.

Annual indices to be kept up.

14. Indices to the register books to be kept up as per Forms Nos. 1 and 2, annexed, each of these indices will terminate with the year. To each a separate book, made of English paper, paged, and carefully bound as prescribed in the preceding section, must be assigned, and for the entries under each letter, one or more leaves must be set apart. The entries should be made at the time of registration, with the utmost accuracy, and the order of the English alphabet adopted.

When register and indices to be submitted.

15. Register books and indices to be submitted annually on or before the 15th January, to the Deputy Commissioner or other officer in charge of the district Court, who will countersign the same; and certify at the same time whether they have been kept up for the period under review in strict conformity with these regulations, or otherwise.

Fees.

16. Registrars shall be allowed a fee of two rupees for every deed registered by them, to be paid by the party causing the same to be registered, and no more. A fee of one rupee for every copy furnished of a deed registered by him, to be paid by the party applying for such copy, and no more. A fee of half a rupee for every search made on an inspection of the register, to be paid by the party inspecting the same, and no more. The Registrar is authorized to refuse to perform the official acts required from him until these fees be paid, and from such fees he shall provide the necessary officers, to make the entries and copies directed, as well as the requisite stationery.

Reference of registered deed.

17. From and after the 1st January 1862, every deed of sale or gift of lands, houses, or other immovable property a memorial of which has been or shall be duly registered according to these rules, shall, provided its authenticity be established to the satisfaction of the Court, invalidate any other deed or gift of the same property which may not have been registered, and whether such second or other deed shall have been executed prior or subsequent to the registered deed; and from the said day every deed of mortgage on land, houses, and other immovable property, as well as of the discharge of such incumbrances, a memorial of which has been or shall be duly registered according to law, and provided its authenticity be established to the satisfaction of the Court, shall be satisfied in preference to any other mortgage on the same property, which may not have been registered, and whether such second or other mortgage shall have been executed prior or subsequent to the registered mortgage. This section shall not apply to immovable property within the town and suburbs of Rangoon, all transfers of which are required to be registered by the Deputy Registrar of transfers of town lots, and such registration only will be valid according to the rules in force for the grant of town and suburban allotments in Rangoon.

No. 1.

ALPHABETICAL INDEX OF IMMOVABLE PROPERTY FOR 186

Township in which property is situated.	Circle.	Specification of property.	Permanent conveyance register. Deeds of sale or gift.		Temporary conveyance register. Deeds of mortgage on land, &c.	
			Vol.	Page.	Vol.	Page.

No. 2.

ALPHABETICAL INDEX OF NAMES OF PERSONS EXECUTING DEEDS FOR 186

Names of persons who executed the deed.	Name of the Father.	Permanent conveyance register. No. 1.		Temporary conveyance register. No. 2.		General register. No. 3.		Register of wills. No. 4.	
		Vol.	Page.	Vol.	Page.	Vol.	Page.	Vol.	Page.
	Need not be filled up when the party registering is of European birth or descent.								

RULES

Regarding mortgages in Pegu made applicable to the province of British Burma by the Chief Commissioner and Agent to the Governor General, by his Circular No. 117 of the 1st July 1865.

Extract from the Judgment of the Rangoon Judicial Deputy Commissioner's Court, in regular suit No. 555 *of* 1859, *laying down general rules regarding suits for foreclosure of mortgages in Pegu.*

This, therefore, the Court will adopt as the law regulating the present and all future cases bought for foreclosure of a mortgage, viz :—

1st. The mortgagee under a conditional bill of sale may apply to the Court at any time after the stipulated period for the payment of the debt has expired, to call upon the mortgager to pay into Court the principal, interest and costs, and to give him notice that failing therein the mortgage will be foreclosed.

2nd. On receiving such an application the Court will give a fair and reasonable time to the mortgager to discharge the debt with interest and costs, and on his failing to do so, the Court will, on the expiration of the period it has allowed the mortgager, declare the mortgage foreclosed, and the sale of the property to the mortgagee made absolute. It will rest with the Court to determine in every case what is a fair and reasonable time to allow for the discharge of the debt. This is more equitable and convenient than to fix one invariable term for all cases. It is manifest that what might be only a fair and reasonable time to allow to pay off a mortgage on a property worth a lakh of rupees, would be a disproportionate and quite unnecessarily long pe-

riod in the case of a bamboo hut standing on a thousand square feet of swamp. Six months, however, is the maximum time which the Court will ever allow under any circumstances whatever, for the payment of the mortgage debt.

3rd. The same principle of law shall be applied to cases when a mortgagee holds a power to sell, instead of a conditional bill of sale to himself; that is to say, the mortgagee may apply to the Court to call on the mortgager to discharge his debt, and on his failing to do so, within a reasonable time, to be fixed by the Court, the Court will order the estate to be sold. The Court will not uphold the validity of any private sale by the mortgagee without the intervention of the Court, notwithstanding any clause in the mortgage bond conveying that power, unless at the time of, or immediately before the sale, the mortgager expressly gives his consent in writing to such private sale.

4th. It is necessary also to note here, that, agreeably to section No. XV* of the rules for the Revenue administration of the Province of British Burma, "mortgagees, for the foreclosure of whose mortgages no period has been fixed, and who have held unchallenged possession of the land for twelve years and more, shall have the right of owners to such land:"—that is to say, that where mortgagees have been in undisturbed possession for twelve years and upwards, the equity of redemption is forever lost to the mortgager. A very important rule, which it is desirable thus publicly to bring forward and direct attention to; as I greatly doubt if it is at all generally known.

The above ruling was confirmed by the Pegu Commissioner's Court in appeal case No. 6 of the 4th quarter of 1859.

* NOTE.—Rule XVII of present rules.

ANNUAL STATEMENT OF UNCLAIMED PROPERTY OF PERSONS DYING INTESTATE.

Every officer in charge of a district will furnish annually a statement of unclaimed property, of persons dying intestate, made up for the calendar year in the form annexed. Minute details of the description of property is not required, but merely a general description under the four principal heads noted. A detailed inventory must however be carefully kept either by the bailiff or record keeper of each Deputy Commissioner's Court.

FORM.

General statement of unclaimed property of persons dying intestate in the Pegu division of the province of British Burma for the year 186—

Name.	Date of Proclamation.	Property.	Estimated value.			Remarks.
			Rs.	A	P.	
		1 Cash,	8	6	0	
		2 Jewels,	2	12	0	
		3 Clothes,	1	8	0	
		4 Miscellaneous, as pots, pipes &c. &c.	0	10	0	
Total Rs. thirteen & annas four,			13	4	0	

I do hereby certify that the period prescribed by law has expired, and the requisite advertisements have been issued.

date (Sd.) E. B.
Deputy Commissioner.

RULES

OF PRACTICE OF THE DISTRICT COURT OF RANGOON EXTENDED TO ALL DISTRICT COURTS OF BRITISH BURMA, VIDE CHIEF COMMISSIONER'S CIRCULAR NO. 117, DATED RANGOON 1ST JULY 1865.

On estates in the hands of the bailiff of the Court, dated 15th May 1860.

1. Whereas it is necessary that the Court should at regular intervals be made acquainted with the state of all the estates in the hands of the bailiff of the Court in his character of official assignee, receiver, and manager. It is ordered that on the second Saturday of January, April, July, and October of each year, the bailiff file an account of each of the insolvent and intestate estates under his charge with vouchers in support of those accounts. The accounts to be made up to the close of the previous quarter, and to include the commission of 5 per cent allowed to the bailiff.

Proceeds of sale, when to be paid by the Govt. auctioneer, dated 26th May 1860.

2. The Government auctioneer must pay into the treasury the proceeds of sale of movable property on the first Court day after the sale.

Costs of copying to be allowed, dated 11th June 1860.

3. As the expenses of procuring copies of documents are included in the costs of suit, the Court fixes the following rates as those which it will allow in fixing the amount of costs.

Copies per foolscap page of 25 lines ...Rs. 1
Translations do. do. ... ... „ 2

All fractional parts of pages to count as a full page.

Commission allowed to Govt. auctioneer, dated 7th July 1861.

4. The commission to be allowed from this date to the Government auctioneer will be 5 per cent on the proceeds of sale up to rupees 10,000, and 1 per cent above that amount, to include every expense of every description.

5. The order prohibiting any person from removing any records from the Court without the *leave in writing of the Judge* applies equally to the record keeper and every other officer of the Court.

Order relative to removal of records, dated 31st Agust 1862.

6. The law requires that every plaint shall be written on one stamp paper of the prescribed value, and that if this is not sufficient to contain the entire subject matter of the plaint, one or more additional pieces of paper may be used of the value required for petitions.

Plaints how to be written, dated 7th November 1860.

According to this rule it is not lawful to write a plaint upon several sheets of stamped paper whose aggregate value amounts to the value of the stamp prescribed.

This may be done in the case of deeds, instruments or writings, but is not allowable in the case of plaints.

In future therefore, this Court will reject any plaint which is written on more sheets than one of stamped paper, purchased after this date, unless the first sheet bears the full stamp prescribed for the plaint and the supplementary sheets bear each an eight anna stamp.

7. The Court lays down the following rules in amplification and explanation of section 270 of Act VIII of 1859.

Procedure regarding application for attachment of property and disposal of proceeds thereof, dated 15th November 1860.

1. Where two or more applications for attachment are made against the same property, if any one of these applications is preferred in any Court one day before the others, such application will be entitled to priority, and the party making such application will be entitled to be first paid out of the proceeds of the property attached, notwithstanding a subsequent attachment of the same property in execution of a prior decree, and notwithstanding the said property may be actually attached by the same or some other Court on the

subsequent application of some other party before the attachment under the first application is actually made.

2. When two or more applications are made on the same day, whether in the same or in different Courts, they shall be all considered contemporaneous, and entitled to share rateably on the proceeds of the property attached, without reference to the date of decree, or to the date of the attachment being actually made pursuant to such application. Provided, in both the above cases, that if any delay which occurs in making the attachment is solely owing to any laches on the part of the applicant for such attachments, then the number of days during which such laches may have continued shall be added on to the date of the original application, and the original application shall be treated as having been made on the last of the days so added.

For example—A. applies on the 1st November for a general attachment on the movable property of B. to be pointed out by the said A., the Court orders a warrant to issue accordingly, which is done on the same day. A. does not take any steps to have the warrant served on the property pointed out to the bailiff till the 10th November. Then in the distribution of assets if there are more attachments than one on B's property, A's application will be dealt with as though it had been made on the 10th November and not on the 1st.

Procedure regarding property attached more than once, dated 15th November 1860.

8. Whereas it is expedient to make rules for the attachment of property which has been already attached on the application of some other party, either in the same or a different Court, it is ordered as follows :—

1. Any person may apply for a warrant of attachment upon any property in execution of a decree although such property has been already attached by some other person.

2. In such case the bailiff shall make the second and all subsequent attachments by delivering a copy of the subsequent warrant to the clerk of the Court from which the first attachment issued, to file on the record of the case in which the order for such attachment was passed.

Before delivering the copy to the clerk of the Court, the bailiff shall endorse upon it according to the following form :—

15th November 1860.

Delivered to the clerk of the——Court to serve by filing with Mis. Case No. 100 of 1860, A. B. vs. B. C.

XY. Bailiff.

The bailiff will return the original warrant with a report of service endorsed according to the following form :—

15th November 1860.

Certified that the within described property having been already attached

by { this / the } Court

on the 10th instant in Mis. Case No. 100 of 1860, A. B. vs. B. C. I have served the within warrant by delivering a copy thereof to the clerk

of { this / the } Court

to file with the said Case as appears by his receipt above.

XY. Bailiff.

15th November 1860.

Received from the bailiff a copy of the within warrant which I have filed with Mis. Case No. 100 of 1860, A. B. vs. B. C.

YZ. Clerk of the Court.

Evidence of parties appearing as witnesses on their own behalf, dated 14th January 1861.

9. The Court directs that in future in all cases in which the parties to a suit name themselves as witnesses in their own behalf, they shall file a declaration on unstamped paper containing the testimony they desire to give, which will be filed on the record as evidence, and will be read out, and the opposite party allowed to cross-examine thereon. This is in conformity with section 169 of Act VIII of 1859, and will save the useless waste of time which results from the judge being obliged to take down the evidence as delivered orally.

Rates of tulubana and allowance to Ameens in the subordinate Courts, dated 19th March 1861.

10. The following rules are laid down for the tulubanah to peons and allowances to Ameens employed in the subordinate Courts.

These rates are never to be exceeded.

TULUBANA.

	Per Diem.		
	Peon hire.	Boat hire.	Total.
By land, ...	6 as.		6 as.
By water, ...	6 as.	8 as.	14 as.

Ten English miles or five taings to be calculated as one day's journey, time to be allowed at this rate to go to and return from the village, and one day extra for finding the party and serving the process.

For example a summons has to be served at a village 25 miles distant from the Court, making there and back 50 miles, for this 5 days will be allowed and 1 more for serving the summons, total 6 days.

ALLOWANCE TO AMEENS.

The time calculated as for tulubana 1 day being allowed in this case for surveying the land and making plan, as in the other for finding the party and serving the process.

11. Whereas it appears that the rate of allowance to Ameens, fixed by the order of the 19th March, is not sufficient, the following rate is substituted :— Allowance to Ameens, dated 14th March 1861.

	Per Diem.											
	By land.			By water.								
				Surveyor.			Boat hire.			Total.		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Ameens who cannot survey with compass and chains.	1	0	0	1	0	0	1	4	0	2	4	0
Ameens who can survey with compass and chains.	2	0	0	2	0	0	1	4	0	3	4	0

No charges in addition to this are to be made for cooly hire for carrying compass and chains or on any other account.

12. The fees to be paid to the sheriff of Calcutta, for executing processes of this Court, will be according to the scale laid down in C. O. S. D. No. 188 of 7th October 1852, as follows :— Fees of the sheriff of Calcutta, dated 26th June 1861.

Name of Process.	Rs.	A.	P.
Summons, ...	2	0	0
Warrant of attachment, ...	4	0	0
Against effects, ...	4	0	0
Notices, ...	2	0	0
Proclamations, ...	2	0	0
Subpœna, ...	2	0	0
Warrants of arrest against person,...	4	0	0
Warrants for apprehension of a witness, ...	4	0	0
Warrants for security to be furnished by defendant,	4	0	0

PROCEEDINGS OF ARBITRATORS.

Rules of practice, for the better regulation of cases referred to arbitration, dated 18th July 1861.

1. Both the parties shall have notice of the time and place of meeting of the arbitrators, and both the parties shall have a right to be present, either in person or by a pleader, or authorized agent at every sitting of the arbitrators. If either of the parties fail to appear after due notice, the arbitrators may proceed in the manner directed in the Code for default of parties.

2. The arbitrators shall make notes of their proceedings at each sitting, with a summary of the examination of the parties and the depositions of the witnesses.

3. These notes may be written in any language the arbitrators please. They need not be translated, unless either of the parties move to set aside the award, or to reduce the fees charged by the arbitrators, in which case if the notes are in any other language than English or Burmese, and the Court requires to refer to them, it will order them to be translated into one or other of those languages, at the cost, in the first instance, of the party objecting, and chargeable afterwards as costs of suit.

4. The arbitrators may examine the parties or their witnesses, with or without oath, as they deem fit, and are authorized to administer oaths accordingly.

5. If the arbitrators reject any documentary evidence tendered by either party, or refuse to examine any witness, named by either party, they shall note the fact, and the reason of such rejection or refusal, upon their proceedings.

6. The mode of conducting an arbitration, subject to the above general rules, is left to the arbitrators.

2ND.—UMPIRE.

7. When an umpire is appointed, it is not necessary that he should sit with the arbitrators, if he does so, he will not be entitled to any fees for such sittings. The duties of the umpire only commence after the arbitrators have referred the case to him, on their being unable to agree between themselves to an award. The arbitrators' functions are then at an end, and the umpire will proceed with the case *alone*.

8. An umpire may make his award on the notes of the arbitrators, if no objection be taken by the parties, but if either party expressly requests the umpire either to rehear evidence already given before the arbitrators, or to examine new witnesses, the umpire must do so, and if he refuses, his refusal will be a sufficient cause for the Court to set aside his award.

3RD.—AWARD.

9. The arbitrators must take care by their award, either in terms or in effect, to decide upon all matters of claim that are referred to them, and must not, because a claim has been admitted before them, or because the parties have not wished or even requested them to arbitrate on the subject, omit to notice or include it in the award.

10. The award must be *certain, clear, decisive, and final.*

11. The Court may enlarge the time for making an award, notwithstanding the time for making it has expired, provided the delay is explained to the Court's satisfaction.

4TH.—SETTING ASIDE THE AWARD.

12. If either party intends to raise any objection as to the mode in which the arbitrators have conducted any part of their proceedings, with a view to set aside their award, he must give notice *at the time* that he intends to rely on such objec-

tion, and the arbitrators shall enter such notice on their proceedings.

13. The Court will not enter into the correctness of the arbitrators' law, upon the mere suggestion of mistake, so long as they have acted within their jurisdiction. The objection must appear on the face of the award. But if it can be shewn that the arbitrators have acted *without jurisdiction,* the Court will send the award back to them for reconsideration, and, in the event of their refusing to amend it, will set it aside as null and void.

14. As to what *misconduct* of an arbitrator may induce a Court to set aside his award, it must be of such a nature as probably to have affected the decision of the merits and justice of the case. Where an arbitrator questioned a witness and received statements from him in the absence, and without the consent of, one party to the reference, this has been held to be misconduct sufficient to justify the Court in setting the award aside, so also where the arbitrators held private meetings with one of the parties, and admitted him to be heard, to induce an alteration in the award.

5TH.—COSTS.

15. The fee of an arbitrator is fixed at twice the rate of the allowance to a witness of the same class as the arbitrator, for each sitting, an ordinary sitting is expected to last three hours.

16. The arbitrators will note at foot of their award the number of sittings they have held, and the amount of the fees they claim. The Court will tax the costs of arbitration and reduce the arbitrators' fees if it is of opinion that the sittings have been unnecessarily numerous, or that the proceedings have been needlessly protracted.

17. The Court will previously to the reference to arbitration, require the parties to deposit in Court such sum as it may consider reasonable on account of the probable costs of arbitration, and will from time to time, on cause appearing, require the deposit of a further sum on the same account. In the event of such payment not being made by the time fixed, the Court will proceed to levy the same in the manner prescribed for execution of decrees, or will treat it as a default and act accordingly.

Property sold in execution and purchased by one of several joint decree holders, dated 3rd August 1861.

14. When property is sold in execution of a decree in favor of more than one person, the Government auctioneer will only accept, in lieu of payment, a receipt signed by *all* the joint decree holders.

If one of several joint decree holders purchase property sold in execution of their decree he must pay cash for it the same as any third party unless he is specially authorized or, as in the case of a member of a mercantile firm, he has power to to sign for *all* the decree holders; or unless he is a bonâ fide mortgagee of the property sold.

Value of stamp requisite for law papers requiring stamp, dated 3rd September 1861.

15. Exhibits may be written on several sheets of stamped paper so that they amount to the full value, but no *blank* stamp paper can be attached to make up the value.

Every law paper which requires a stamp must be written on a *stamp paper* of the full value prescribed for it, and no blank sheets or extra sheets of stamp paper can be allowed to be annexed to it to make up the value.

This does not apply to exhibits the originals of which may be written on one or more stamp papers, if the value of the stamps used amount to the value required by the schedule. But *blank* stamp papers cannot be allowed to be attached to exhibits to make up their value. If the ori-

ginals are on unstamped paper the penalty must be paid in cash.

Bills and accounts how to be entered in plaint, dated 9th September 1861.

16. Clause 3, section 26 of Act VIII of 1859 requires that in all suits for the price of goods delivered on suits on an account, the account shall be set out *at foot of the plaint.*

The present practice of attaching a number of bills to the plaint and merely referring to them on the plaint is not a sufficient compliance with the law.

A bill or account is not an exhibit, it is merely a *written statement* of the particulars of plaintiff's demand, and such particulars must be entered on the plaint itself. The Court therefore henceforth will reject any plaint which does not contain *in itself* a full account of the particulars of plaintiff's demand.

Pleaders how and when allowed to take notes, dated 9th September 1861.

17. The certificated pleaders are permitted to take notes from the record of a case in which they are engaged, during the time such case is actually pending, on plain paper, but after the case has been decided or struck off the file as disposed of, they can only be allowed to have copies on stamped paper. The same applies to the parties to a suit.

Fees to be paid before process issues, dated 7th September 1861.

18. It having come to the knowledge of the Court that the clerk of the Court is in the habit of issuing processes before the fees for the same have been paid to him, and of receiving the same afterwards :—

It is ordered, that the above practice be immediately discontinued henceforth, every person whether a pleader of the Court, or otherwise, must pay into Court the costs of service, allowance to witnesses, jurymen and arbitrators, before the process is issued, agreeably to sections 23 and 151 of the Civil Code Act VIII of 1859, failing there-

in the clerk of the Court is strictly prohibited from issuing the process, and the party will be liable for the consequence of his default.

RULES

FOR ALLOWANCE TO WITNESSES.

Number of witnesses by whom fixed.

The Judge must in each case direct what number of witnesses shall be allowed on taxation of costs between party and party. Their allowance for attendance must in no case exceed the highest rate of the allowances mentioned in the following schedule:—

First class.

1st class.—European merchants, bankers, captains of merchant vessels and professional men, per diem, from rupees 5 to 10.

Second class.

2nd class.—Mates of merchant vessels, assistants to merchants, auctioneers, accountants, clerks, European shopkeepers, European artizans, native merchants, and native commissioned officers of the army, per diem, from rupees 2 to 5.

Third class.

3rd class.—Native artizans and journeymen, per diem, from 12 annas to 2 rupees.

Fourth class.

4th class.—Sawyers, coolies, &c. per diem, from 4 annas to 8 annas.

Government employés.

Officers and others in paid Government employ will receive allowance at rates corresponding with those of the above-named classes, according to their station in life.

Travelling expenses of first and second classes.

The costs to witnesses, whether they have been examined or not, may in the discretion of the Judge be allowed; travelling expenses for the 1st and 2nd classes, the sum reasonably paid, but not more than four annas a mile coming to, and four annas a mile returning from, the place of trial.

Ditto of third and fourth classes.

Witnesses of the 3rd and 4th classes to be paid an allowance equal to one day's attendance allowance for any distance they may have to come

from their own homes to the place of trial, beyond five miles; two days' allowance for any distance beyond two miles; three days' allowance for any distance exceeding fifteen miles, and so on.

INSTRUCTIONS

FOR ALL DULY APPOINTED GOVERNMENT PLEADERS IN BRITISH BURMA, DATED RANGOON 1ST JULY 1865, VIDE CIRCULAR No. 117.

Duties of Govt. Pleader.

1. It will be the duty of the Government Pleader to accept service of all summonses and other Judicial processes against the Government issuing out of any Court in which he may be the Pleader of Government. On receiving summons he shall immediately communicate with the officer at the head of the department to which the subject matter of the suit refers and take such further steps for the defence of the action or otherwise as he may direct.

2. The Government Pleader is required to attend to any instructions he may receive from any of the undermentioned officers, on the business of Government connected with their respective departments :—

1. The Chief Commissioner, or his Secretaries acting under his authority, or in his absence.

2. The Commissioner.

3. The Deputy Commissioner.

4. The Town Magistrate.

5. The Cantonment Joint Magistrate.

6. The Master Attendant.

7. The Recorder.

8. The Registrars of Rangoon and Maulmain.

9. The Inspector-General of Police or his Personal Assistant acting under his authority, or in his absence.

10. The District Superintendent of Police.

11. The Inspector-General of Prisons.

12. The Chief Engineer or his Assistant, acting under his authority or in his absence.

13. The Executive Engineer of the town.

14. The Executive Engineer of the Cantonment.

15. The Conservator of Forests.

16. The Deputy Conservator of Forests.

3. In the event of any of the above-mentioned officers having occasion to institute a suit or enforce a claim on behalf of Government, the Government Pleader shall advise with the said officer and take such steps for the institution of the suit or otherwise as he may be instructed.

4. The Government Pleader shall afford professional advice and assistance to any of the above-mentioned officers whenever required by them to do so, upon any matter of selling or purchasing property, making contracts, drawing up agreements, disputed claims, &c., &c., to which Government or any of the said officers in his official capacity is a party. He will not take any case against the Government but otherwise can exercise his profession according to his own will.

5. In the event of any of the above-mentioned officers having occasion to institute Criminal proceedings on behalf of Government against any person, the Government Pleader shall conduct the prosecution under their instructions.

6. The Government Pleader shall, whenever he is specially instructed to do so by the committing officer, conduct the prosecution of any case committed for trial before the Court session, by the Deputy Commissioner, the town Magistrate, or other officer exercising the full powers of a Magistrate.

7. The Government Pleader shall conduct the prosecution in any case where a party is committed to any Criminal Court by the Judge of a Civil Court, under the provisions of section 171 of the Code of Criminal Procedure, whenever he may be required to do so by the Judge of the district or any higher Court.

8. The Government Pleader will not be entitled to any fees or remuneration for the performance of any of the above duties beyond the regular monthly salary allowed to him by Government.

RULES

FOR THE ADMISSION AND PRACTICE OF CERTIFICATED PLEADERS.

Dated Rangoon, 1st September 1863.

Whereas by the 25th section of Act I of 1863, it is enacted; that the powers vested in the Sudder Court by the Code of Civil Procedure shall be exercised in British Burma by the Chief Commissioner, it is, in pursuance of those powers, hereby ordered, that the following rules be established for the admission of persons to act as certificated pleaders of the first, second, and third class, in the Commission Courts of British Burma.

CERTIFICATED PLEADERS OF THE FIRST CLASS.

1. All barristers at law, or advocates of the Scotch bar, all advocates, attornies at law, or solicitors of any High or Supreme Colonial Court duly authorized by Royal Charter to admit advocates and solicitors, and certificated pleaders of the first class, now practising in the Courts of the Commission of British Burma, shall be entitled *de jure*, to admission to practise as pleaders of the first class in the Courts of the Chief Commissioner, Commissioners of divisions, and

all other Commission Courts whatsoever, civil or criminal, throughout British Burma, on the proof of their qualification as above, by production of their certificates, or act of call, should such evidence be required by the Chief Commissioner, or Commissioner of division.

2. Gentlemen desirous of admission as certificated pleaders of the first class, and not qualified *de jure*, as provided in the first rule, will be required to signify their intention of applying for admission by written application to the Commissioner of the division. The candidate will, at the end of six weeks, be required to submit to the Commissioner of division, testimonials of character, from two known respectable residents of these provinces, or from other undoubted sources, and the Commissioner may then either pass order for the candidate's admission as a certificated pleader of the first class, or may direct him to be examined in the manner hereafter described.

3. When gentlemen qualifying under the second rule are admitted, the order for their admission shall be signed by the Commissioner, and all gentlemen qualifying under either the first or second rule, shall, on admission, sign the roll of certificated pleaders of the first class, and have right of seniority according to their order on the said roll, reserving always to the Government Pleader the right of precedence, to which he is now entitled by custom, in virtue of his office.

4. Where, as provided by the latter part of the second rule, the Commissioner shall direct an applicant to be examined, he shall remit the candidate for examination by a committee of one advocate and two certificated pleaders, taken in rotation from the roll of advocates and pleaders actually in practice, who shall examine the applicant in the usual branches of a liberal education, and in the law of evidence, the Codes of

Civil and Criminal Procedure, the Penal Code, and such other authorities as may be convenient. If the examination be satisfactory, the senior examiner shall so report to the Commissioner, who shall thereupon direct the candidate to be admitted; but if unsatisfactory, the candidate shall have the right of appeal to Commissioner, whose orders thereon shall be final. When the candidate knows only the Burmese language, the examination will be conducted in that language by the Deputy Commissioner.

5. The Chief Commissioner further directs, that the fees to be received by all pleaders of the first class shall be according to the scale of fees for the remuneration of pleaders heretofore set forth by authority, in the 520th section of the Pegu Civil Code, and the general rules in respect thereof set forth in the 519th, 521st, 522nd, 523rd, 524th, 525th, 526th, 527th, 528th, and 529th sections of the said Code as annexed hereto.

6. When suits are conducted by pleaders of the second or third class as hereinafter set forth, a sum equal to one half the fees of a first class pleader shall be allowed in the case of a second class pleader, and a sum equal to one third the fees of a first class pleader shall be allowed in the case of the third class pleader, in taxation, to the party employing such pleader, against the party condemned in costs.

CERTIFICATED PLEADERS OF THE SECOND CLASS.

1. All persons now on the rolls of the Courts of any of the three divisions of British Burma as certificated pleaders not qualified as above, are entitled *de jure*, to admission as certificated pleaders of the second class, in all Courts of the Commission, civil or criminal, within their respective divisions.

2. All persons hereafter seeking to be admitted as second class pleaders, will be required to submit, with their application for admission, a certificate from some advocate of the Recorder's Court, or first class pleader, that such applicant has for the space of not less than one year been regularly employed in the office of such pleader in the study of the law and active details of practice, or a certificate from some second class pleader, that such applicant has been employed in his office for a space of not less than three years, in the manner before expressed; or to prove that such applicant has been a certificated pleader of the third class for not less than three years, and shall submit, with such application and certificate, testimonials of character signed by two known respectable inhabitants of British Burma or in the case of a certificated pleader of the third class, by the Deputy Commissioner of the district where he received the certificate of that class. Should these be satisfactory, a day will be appointed for the examination of the candidate, by a committee of three pleaders, chosen in rotation according to seniority, who will examine the applicant in the Codes of Criminal and Civil Procedure, the Rules of Practice, the Penal Code, and the Law of Evidence, and report the result to the Commissioner of division. If the report be favorable, the applicant will be at once admitted a second class pleader, and his name placed on the list which will be suspended in each Court. If unsatisfactory, the applicant may appeal to the said Commissioner, who may make such final order thereon as shall be necessary.

3. The order of admission for a second class pleader will be made by the said Commissioner. Pleaders thus admitted shall be entitled, on filing in Court in each case their written power or deputation, to appear, plead, and act for and on

behalf of suitors in all Courts established under Act I of 1863, either alone, or with a first class pleader of the Court.

4. It shall be competent to any pleader admitted under these rules, to apply to the Commissioner, after such pleader has attained three years' standing, to admit him to the higher grade of a first class pleader, provided always that the Commissioner of division may, if he deem it right, require the applicant to pass the higher standard of examination prescribed for first class pleaders.

5. Nothing in any of these rules shall be taken to prevent a first class pleader from, either alone or with a second class pleader, appearing in the Lower Courts of the Commission if he desire so to do, but in taxation of costs the fees of one pleader only will be allowed in the Lower Courts: provided always, that the provisions of the general rule, as to the language of the Courts be strictly conformed to.

CERTIFICATED PLEADERS OF THE THIRD CLASS.

1. Persons at present practising as pleaders under certificates, or orders from the Deputy Commissioner of the district or otherwise, shall and may continue to do so as certificated pleaders of the third class, and hereafter other persons may be admitted to the same privileges, on passing an examination in the subjects set forth in the second rule in respect of second class pleaders. This examination shall be conducted by a committee to be named by the Deputy Commissioner of the district, and of which committee the Deputy Commissioner shall be president. If admitted, the order for admission shall be written by the Deputy Commissioner. Provided always, that pleaders of the third class shall not be entitled to practise in Courts beyond the limits of the district wherein they are admitted except by special leave from the Judge of an Appellate Court, and that their

fees to be allowed in taxation shall in no case exceed one third of those allowable to first class pleaders.

2. It shall be competent to the Commissioner, on grave cause shown, to remove the name of any pleader of any class, from the roll, for any dishonorable or digraceful conduct, and to withdraw the certificate of such pleader: and on such removal of name, the person whose name is so removed, shall cease to be, and to enjoy the privileges attaching to the office of such pleader: *provided always*, that no pleader shall be removed from his office without being fully heard in his defence on the precise charge urged against him, which shall be reduced to writing; *and provided further*, that an appeal shall lie against any order for withdrawal of certificate made by the Commissioner of division, to the Chief Commissioner.

3. In Courts presided over by a British Judge, or Magistrate, the languages of record and address shall be English or Burmese; and in Courts presided over by a Burmese Judge, the language of record and address shall be Burmese only. But where a British Judge presides the language of address to the Court will be the same by both sides, and in case of a difference of language existing between the pleaders, English will in that case have the preference.

4. All Pleaders of whatever class are subject to the rules laid down in Act I of 1846.

5. No one will be admitted as a pleader who has not attained the age of twenty-one years.

6. Parties employing pleaders shall be at liberty to settle with them, by private agreement the remuneration to be paid for their professional services.

7. In the absence of such agreement, a pleader shall be allowed to charge fees according to the

subjoined scale, and where costs are awarded against another party, pleaders' fees shall be included in the award according to the subjoined scale only, whatever may be the private agreement between the pleader and his client. Pleaders will be allowed fees according to the following scale in any regular suit or appeal decided on the merits.

If the amount or value of the property claimed shall not exceed	10	Rs.	0	4
If above 10 Rs. but not above	20	„	0	8
do. 20. do. do.	30	„	1	0

and so on, adding 8 annas, that is 5 per cent, upon every additional sum of 10 Rs. up to 100 Rs.

If above 100 Rs. but not above	120	Rs.	5	0
do. 120 do. do.	140	„	6	0

and so on, adding 1 rupee, that is 5 per cent, on every additional sum of 20 Rs. up to 500 Rs.

If above 500 Rs. but not above	550	Rs.	25	0
do. 550 do.	600	„	27	8

and so on, adding Rs. 2 8, that is 5 per cent, on every additional sum of 50 Rs. up to 1000 Rs.

If above 1000 Rs., but not above	1100		50	0
do. 1100 „ do. do.	1200		55	0

and so on, adding 5 Rs. for every additional sum of 100 Rs. up to 5,000 Rs.

If above 5,000 Rs., then 250 Rs. on that sum, and 2 Rs. on every additional sum of 100 Rs. up to 20,000 Rs.

If above 20,000 Rs. then 550 Rs. on that sum, and 1 Rupee on every additional sum of 100 Rs. up to 50,000 Rs.

If above 50,000 Rs. then 850 Rs. on that sum and 8 annas on every additional sum of 100 Rs. up to 80,000 Rs.

If the amount or value shall exceed 80,000 Rs. the fee of the pleader shall be one thousand rupees

and shall in no instance exceed that sum, however great may be the value or amount of the suit.

8. In summary and miscellaneous cases the amount which shall be awarded as costs on account of pleaders' fees shall be one fourth of what it would have been in a regular suit decided on its merits. If a suit shall be withdrawn or dismissed in default, or non-suited without a determination upon the merits of the case, before the issues shall have been declared, the respective pleaders of the plaintiff and defendant shall each be entitled to only one fourth of the established fee which they would have received had the suit been brought to a regular decision by the Court.

9. If a suit shall be withdrawn or dismissed in default, or non-suited without determination upon the merits of the case, after the issues shall have been declared, or if an appeal shall be decided without summoning the respondent, or without calling on respondent to answer, if he shall have appeared without having been summoned, the respective pleaders shall be entitled to one half of the fees which they would have received if judgment had been given in the case, or if the respondent had been summoned.

10. Private agreements between parties and their pleaders respecting remuneration to be paid for professional services, can only be enforced by a regular suit, and the agreement must be in writing.

11. An appeal shall be considered a separate suit, although the pleader who conducts it may have been employed in the original suit out of which the appeal arises.

12. Although there may be more than on plaintiff in a suit, only one plaint can require to be filed; plaintiffs therefore can only recover as

costs of suit the fee of one pleader, however many they may employ.

13. If there be more than one defendant and their defence is substantially the same, they need only file one answer for all; therefore, whether they employ several pleaders, or one pleader, and he files separate answers for the several defendants, the fees of one pleader only shall be charged as costs of suit.

14. If there be more than one defendant and their defences are substantially different from and independent of, each other, the defendants may either employ several pleaders, or one pleader may file for them, separate answers; in this case defendants shall be allowed, as costs of suit, fees for as many pleaders as there are separate and distinct defences.

15. The fees for regular, summary, and miscellaneous suits and appeals include the entire remuneration which pleaders are entitled to recover, without a special agreement, for conducting all business connected therewith in or out of Court.

16. For opinions, drawing up deeds of sale, transfer, mortgage or release, and other legal documents of whatever description, the fees shall be a matter of private agreement between the pleaders and their clients, and no suits for such fees shall be entertained in the Courts except on written agreement.

THIS IS TO CERTIFY, that
is hereby admitted to practise as a pleader of the class, in the Civil and Criminal Courts of the
division of British Burma and with the rights and privileges claimable under the rules for pleaders passed by the Chief Commissioner of British Burma and dated the 1st September 1863 to which rules he is subject.

RULES

FOR EXAMINATION OF PLEADERS OF THE THIRD CLASS IN BRITISH BURMA.

Subjects of examination.

1. The examination of candidates is to consist of questions in the Codes of Criminal and Civil Procedure, the rules of practice, the Penal Code, and the Law of Evidence.

Examination by whom to be conducted.

2. The examination shall be conducted by a committee to be named by the Deputy Commissioner of the district, and of which committee the Deputy Commissioner shall be president.

Procedure.

3. The candidates must all be examined at the same time, and within sight and hearing of the examiners. They are to be seated apart, and are to hold no communication with one another.

4. Each question is to be read out to them separately. They are to write it down and its answer below it, and, as each is finished, hand it to the examiners, and no candidate is to leave the room till his answer has been so consigned.

5. Should the examination not be closed in one day, great care is to be taken that no unfinished questions and answers are taken out by the candidates on adjournment.

6. The maximum of excellence of each answer will be 6; and the number of marks allotted to each exercise, as noted in the annexed table, will be the maximum for each.

7. Each candidate, in order to pass, must obtain at least two thirds of the aggregate number of marks allotted for the entire examination, and must obtain in each separate branch not less than one third of the marks allotted to that branch.

8. Table of exercises and marks allowed :

Exercises.	Maximum of marks.	Minimum required to pass each branch.
12 questions Code of Civil Procedure.....	72	24
6 ,, for British Burma, Act I of 1863...	36	12
6 ,, Act XIX of 1841 / Act XXVII of 1860 } Successions,	36	12
6 ,, Act XL of 1858 / Act IX of 1861 } Minors.....	36	12
6 ,, Act XXXV of 1858.—Lunatics. ...	36	12
6 ,, Act XIV of 1859.—Limitation.....	36	12
6 ,, Act X of 1862.—Stamps.....	36	12
6 ,, Rules of practice.....	36	12
12 ,, Code of Criminal Procedure.....	72	24
12 ,, Indian Penal Code.....	72	24
12 ,, Law of Evidence.....	72	24
Total.....	540	180
Minimum required to pass.....		360

9. In order to ensure the marks given to each candidate being awarded upon one uniform principle, the reply of each candidate to each separate question will be classed as follows :—

Very good.....6
Good.....5
Fair.....4
Ordinary.....3
Indifferent.....2
Bad.....1
Very bad.....0

Qualifications necessary for admission.

10. No one will be admitted as a candidate who has not attained the age of twenty-one years —and the most unexceptionable references as to character must be produced.

Examinations when held.

11. The examinations will be held quarterly, viz., on the 15th January, 15th April, 15th July, and 15th October; and the Deputy Commissioner will notify the assembling of the committee 15 days previously in the Official Gazette.

12. At the conclusion of the examination the result is to be reported to the Commissioner of the division.

SECTION II.—CRIMINAL JUSTICE.

Notification declaring Act XXV of 1861 *and Act XV of* 1862 *(an Act to amend the Code of Criminal Procedure) in force in the province of British Burma.*

Foreign department No. 134, Judicial, Simla, the 17th of July 1863.

His Excellency the Viceroy and Governor-General is pleased to extend Act XXV of 1861, and XV of 1862 to the province of British Burma *
* * * * * * * * *

His Excellency the Viceroy and Governor-General is further pleased, under section 322 of Act XXV of 1861, to notify that the trial of all offences by the Court of Session in the sea-port towns of Maulmain, Rangoon, and Akyab shall be by jury.

NOTIFICATION BY THE CHIEF COMMISSIONER.

Dated Rangoon, 15th July 1864.

With the sanction of His Excellency the Viceroy and Governor-General in Council, and with reference to section 10 of Act VI of 1864, it is hereby notified, that the rattan shall be the instrument employed within the province of British Burma, for the infliction of corporal punishment on adults, under the provisions of the Act.

The Governor-General in Council has also been pleased to direct that the rattans to be made use of for the purpose shall not exceed half an inch in diameter, and that they shall be of an uniform length of three feet three inches; and further that the punishment on all occasions shall be inflicted on the breech, every precaution being taken to prevent the blows from falling upon any other part of the person receiving the punishment.

RULES

REGARDING DEPUTATION OF WITNESSES TO THE SUPREME COURT.

Extract from the proceedings of the Right Hon'ble the Governor-General of India in Council, in the Home Department, (Judicial) under date the 16th May 1861.

Parties attending the Supreme Court from the mofussil are required to report their arrival in Calcutta at the Police office, and the Commissioner of Police is charged with the duty of arranging for the payment to them of expenses according to rates fixed with reference to their circumstances and station in life. The rates of payment for each class are as follows :—

1st class.—Each person coming under this class to be allowed eight annas a mile as travelling expenses for himself and a servant; five rupees per diem as hotel allowance while in Calcutta; and two rupees for carriage hire for each day he may have to attend at the Supreme Court.

2nd class.—Persons of this class to have their actual travelling expenses, three rupees per diem for board in Calcutta, and one rupee palkee hire for each day of attendance at the Supreme Court.

3rd class.—Persons of this class to have their actual travelling expenses, and one rupee eight annas per diem as board allowance.

As regards places beyond the sea the rule for regulating travelling allowances must of course be modified according to the special circumstances of the case.

Where advances are given by local officers to parties proceeding to Calcutta, such advances should be regulated by the above scale. It is not anticipated that any practical difficulty will

be experienced in determining the class to which a prosecutor or witness belongs. It may however be stated generally in explanation, that the 3rd class is meant to include only laborers, workmen, and persons in a similar condition of life.

His Excellency in Council leaves it to the local Governments and Administrations to issue such subsidiary orders for the guidance of Magistrates as may be necessary to give effect to the above rules. A copy of the "rules for the observance of mofussil Magistrates" which have been adopted by the Government of Bengal, at the instance of the Commissioner of Police, is forwarded for information.

RULES

FOR THE OBSERVANCE OF MOFUSSIL MAGISTATES IN CASES OF BRITISH SUBJECTS COMMITTED BY THEM FOR TRIAL BY THE SUPREME COURT, CALCUTTA.

Dated Calcutta Police Office, 1st June 1861.

1. European prisoners, when committed, must be sent with their warrants of commitment to the great jail of Calcutta to the custody of the sheriff, and a letter should be sent to the Commissioner of Police in Calcutta, giving the names and crime of the prisoner, as also the date and mode of forwarding him to Calcutta.

2. The depositions taken in the case must be sent at the same time to the Clerk of the Crown, and the exhibits, such as swords, bludgeons, or stolen property in charge of the Police officers who can testify to them.

3. All witnesses must be bound down in recognizances to attend at the Supreme Court in Calcutta at noon on the first day of the first Sessions.

The various Sessions commence throughout the year on dates which are fixed periodically.

4. The Magistrate should intimate to the Commissioner of Police, by letter, the names of the witnesses, and direct them all, European and native, immediately on their arrival in Calcutta to leave their names and addresses at the Calcutta Police office, where they will receive any information or assistance they may require.

5. The witnesses, on the conclusion of the trial, will receive their travelling expenses on application to the Commissioner of Police.

6. Magistrates should be careful that while they send down those witnesses who are absolutely necessary for a proper investigation of the case, none others should be compelled to leave their homes. The evidence of native witnesses to Sooruth hâis and such documents are never taken in the Supreme Court. For instance, if the Civil Surgeon has examined the body of the murdered or wounded man, his evidence will be sufficient without that of the natives who saw the wounds in the Darogah's mofussil investigation. The presence of unnecessary witnesses invariably calls down the animadversions of the Judges of the Supreme Court.

RULES

FOR TRAVELLING ALLOWANCE TO WITNESSES IN HIGH COURT CRIMINAL CASES.

Rules for regulating the payment of travelling allowances, &c., to prosecutors and witnesses attending criminal trials at the High Court of original jurisdiction in public prosecutions.

All disbursements on this account are to be made by the Commissioner of Police, Calcutta, to whom all prosecutors and witnesses are, on arrival at Calcutta, to report themselves.

Europeans and Eurasians are to be divided into three classes. Care should be taken by mofussil Magistrates despatching such persons that they are correctly classified according to their respective stations in life, and that the Commissioner of Police is duly informed.

The following rates are to be paid on account of expenses of this nature for persons coming to Calcutta and returning :

Travelling expenses.—1st class.	2nd class.	3rd class.
If by dawk.....8 annas per mile.		
,, by steamer (including mess)..... ,, by rail..... } Actual expenses of 1st class passage.	Bonâ fide expenses of 2nd and 3rd class passengers.	
Boarding expenses in Calcutta.... .. } 5 rupees per diem.	3 rupees per diem	1 rupee 8 annas per diem.
Conveyance hire for the days of actual attendance at the High Court.....2 rupees per diem.	1 ,, per diem.	nil.
Dawk, bungalow and hotel expenses by the way, when travelling by dawk or by rail, 4 rupees per diem.	2 ,, per diem.	1 rupee per diem.

All classes of native prosecutors and witnesses are to be paid their bonâ fide travelling charges and boarding expenses, both by the way and during their stay in Calcutta, according to their stations in life, of which due information is to be given to the Commissioner of Police in Calcutta, by the Magistrate despatching them.

Whenever practicable, prosecutors and witnesses should travel by rail or steamer.

The boarding allowance at Calcutta will cease as soon after the trial as the means of quitting the presidency become available. The Commissioner of Police, Calcutta, will see that this rule is adhered to.

Mofussil Magistrates will make reasonable advances to persons desiring it, to enable them to reach Calcutta. Intimation of such advances must be immediately made to the Commissioner

of Police, who is to refund the amount to the office making the advance.

The Magistrate of the district from which prosecutors and witnesses are despatched, will report to the Commissioner of Police the date of their departure, and will instruct them to report themselves to that officer on their arrival at Calcutta.

RULES

FOR THE GUIDANCE OF HONORARY MAGISTRATES IN BRITISH BURMA.

1. Honorary Magistrates previously to entering on the execution of the duties of their office shall in accordance with provisions of Act X make and subscribe before the Magistrate of the district to which they are appointed the following declaration:

"I., A.B., appointed an Honorary Magistrate "in the district of————declare that I will to "the best of my ability assist the Magistrate of "the said district in preserving the peace of the "district over which his authority extends; that "I will act with impartiality and integrity, and "will not exact or receive, directly or indirectly, "any fee, emolument, or reward whatsoever in "the execution of any matter relating to the du-"ties of my office, excepting such as the orders of "Government do or may expressly authorize, "and that I will perform the duties of my office "according to the best of my knowledge, abilities "and judgment, conformably to the laws for the "time being in force."

2. An Honorary Magistrate has powers to exercise all the judicial functions with which he may be vested, subject only to appeal in regular course; but his judicial functions give him no power to issue orders to the Police, except in re-

lation to processes issued through, and requiring to be served or enforced by them, in cases judicially before him.

3. If in the conduct of a trial or at any other time, an Honorary Magistrate shall see reason to impute misconduct to any officer of Police, he will make report of the case to the nearest departmental superior of such officer of Police.

4. An Honorary Magistrate may take up any cases within his jurisdiction duly brought before him, whether by any officer of Police or by a private person; and the Magistrate of the district may refer criminal cases to an Honorary Magistrate subordinate to him, either for enquiry and report, or for disposal if the case be within the competence of such Honorary Magistrate to decide, or with a view to commitment to the Court of Sessions or to the High Court of Judicature if such Honorary Magistrate is competent to commit to such Court.

5. The Magistrate of the district may, with the sanction of the Commissioner of the division, assign local jurisdiction to an Honorary Magistrate, beyond which he will not be expected to take up cases.

6. Honorary Magistrates, at the time of their appointment, may be invested with the powers of a subordinate Magistrate of the first and second class, or with the powers of a Magistrate under section 22 of the Code of Criminal Procedure, and will exercise such powers in the cases brought before them as criminal judges.

7. Honorary Magistrates will invariably correspond with the superior authorities through the Magistrate of the district.

8. Honorary Magistrates will be particularly careful to avoid all unnecessary detention of parties in cases before them.

9. Honorary Magistrates will keep up daily, in the forms which may be described by the superior judicial authorities, the following books and registers which shall at all times be open to the inspection of the Magistrate of the district:

Register of heinous cases.
do. of petty cases.
do. of miscellaneous cases.
do. of fines.
Book of daily receipts and disbursements.
Book of calendars of punishment.
Daily register of parties in attendance.
Book of summonses.
Book of warrants.
Copy book of roobakarees.

10. Honorary Magistrates will be furnished with registers, printed forms, &c., from the office of the Magistrate of the district.

11. Honorary Magistrates should hold their Courts in some room or place to which the public have free access during the trial of the cases before them.

12. Honorary Magistrates will be furnished by the Magistrate of the district with a seal to be prepared for their use.

13. Honorary Magistrates, in the regular habit of taking up cases, will have a sum allowed them for office establishment and stationery.

14. Persons sentenced by an Honorary Magistrate, residing in the interior of the district, to imprisonment, or committed to the Court of Sessions, or to the High Court of Judicature, should be made over by such Honorary Magistrate to the nearest Police station without delay, together with their warrants, and the calendars of commitment, and such other papers as may be necessary.

15. Honorary Magistrates shall once a month remit to the Magistrate of the district, or to the sub-division officer, through the Police, such sums as they may have received during the past month on account of fines, deposits, &c.

They will transmit, at the same time, copies of their cash accounts according to a form which will be furnished to them by the Magistrate of the district.

16. All refunds of fines, deposits, &c., will be made from the office of the Magistrate of the district or sub-divisional officer, on receipt of a proceeding from the Honorary Magistrate who will make no disbursements himself.

List of cases disposed of how to be submitted.

17. The record of such cases as may have been finally disposed of in the course of the month by an Honorary Magistrate in the interior of a district should be forwarded, through the Police, to the office of the Magistrate of the district, on the 1st day of the following month, accompanied by a list.

18. The monthly and quarterly statements of work disposed of and pending must be forwarded by the Honorary Magistrate to the Magistrate of the district, on or before the 3rd of the month following.

The yearly statement not later than the 10th January.

NOTE.—In any town where there is a stipendiary Magistrate the cases decided by Honorary Magistrates will be entered in the registers of his office. Honorary Magistrates in the interior will keep up their own registers and books as required in rule 9.

FEES ON CRIMINAL PROCESSES.

Dated Pegu Commissioner's Office,

Rangoon, 5th August 1861.

Since the introduction of stamps it is to be understood that payment of fees to Government on process in civil suits is abolished. But fees in petty criminal cases * in which parties make complaint themselves to the Magistrate, will still be taken as before, and credited to Government at the following rates :—

On each summons.....1 rupee.
,, ,, subpœna.....8 annas.
,, ,, warrant.....2 rupees.

These fees are in addition to the expenses incurred in serving the process, which expenses are also paid by the parties. The above fees will be charged in all Criminal Courts of the Myo-okes, &c., &c.

* Such as petty assaults, wages, &c.

SECTION III.—POLICE.

ACT No. III of 1857.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Governor-General on the 31st January 1857.)

AN ACT RELATING TO TRESPASSES BY CATTLE.

This Act was extended to the province of Pegu on the 6th August 1861.

ACT No. V of 1861.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Right Honorable the Governor-General on the 22nd March 1861.)

AN ACT FOR THE REGULATION OF POLICE.

This Act was extended to the several divisions of British Burma as follows:—

Pegu division—by Notification No. 1453, of 31st July 1861.

Tenasserim division—by Notification No. 1806, of 14th October 1861.

Arakan division—by Notification No. 571, of 25th January 1864.

MEMORANDUM.

Dated Rangoon, 12th May 1865.

THE CHIEF COMMISSIONER IS PLEASED TO PRESCRIBE THE FOLLOWING RULES FOR REGULATING THE ADMINISTRATION OF THE POLICE IN BRITISH BURMA.

Administration of the Police how regulated.

1. The administration of the Police throughout the local jurisdiction of the Magistrate of the district is vested in the District Superintendent of Police under the general control and direction of the Magistrate. The District Magistrate has no authority to interfere in the internal organization and discipline of the Police force, but in other respects his position in relation to the Police is not materially changed. The District Superintendent is in effect an aid to the Magistrate for the superintendence of the Police of the district.

2. The Commissioners of divisions will continue to exercise the same supervision over the Magistrates in respect to the administration of Police and criminal justice which they have hitherto exercised; but they will not in any way interfere with the details of the organization of the Police. Commissioners of divisions must bear in mind that they are responsible, as heretofore, for the entire executive administration of their divisions.

Duties of Inspector General.

3. The duties of the Inspector General are the general control, the inspection and discipline of the force in the province.

Duties of District Superintendent.

4. The District Superintendent is the head of the Police force employed in the district. He is, therefore, responsible to the Magistrate for the efficient performance of the duties devolving upon the force. It is his duty to see that all or-

ders of the Magistrate, or other competent authority, are promptly and correctly carried out.

Relations with the Magistracy.

5. All reports which the law requires to be made to the Magistrate of the district, or to a Magistrate having jurisdiction, must generally be made by the subordinate Police to the District Superintendent or officer acting on his behalf; and it will be the duty of the Superintendent or other officer either to pass orders thereon, or, if beyond his competence to deal with, to lay all such reports, and all information and returns, before the Magistrate. The subordinate Police may, however, report direct to the Magistrate when necessary.

6. All orders of the Magistrate to the subordinate Police will be conveyed to the head officer of Police in attendance in the Court of the Magistrate for communication to the subordinate officers concerned. The orders of the Magistrate will either be in the shape of warrants, summons, subpœnas, or other process, or will take the form of specific instructions on special points.

7. All orders other than warrants or other processes will be entered in an order book to be kept for the purpose in each Magistrate's Court. They will thus come regularly under the notice of the District Superintendent, who should, if possible, have his office in the Magistrate's cutcherry. Warrants or other processes will be entered in the register in a form to be prescribed by the Inspector General.

8. In communicating orders to the district Police it is not necessary that separate orders should be addressed. All that is requisite is to send each Inspector an extract from the order book containing all orders applicable to him that have been issued during the day. These extracts, when received by the Police officer to whom they

are addressed, will be entered, according to date of receipt, in his Station order book, and, as soon as the orders have been carried out, the extract will be returned with a brief endorsement shewing the manner of execution.

9. It will be necessary to bear in mind the distinction between the "Magistrate of the district" and "a Magistrate." The "Magistrate of the district" is the chief officer charged with the executive administration of the district in criminal matters; "a Magistrate" includes all persons exercising any of the powers of a Magistrate, such as Joint, Assistant, and Deputy Magistrates.

10. The District Superintendent will, without delay, inform the Magistrate of the district of any circumstance within the knowledge of the Police likely to lead to a disturbance or breach of the peace. Should any difference of opinion, on any question relating to Police administration, arise between the District Superintendent and the Magistrate of the district, it is the duty of the District Superintendent to carry out the Magistrate's instructions, and to request the Magistrate to refer the point under dispute for the orders of the Commissioner, who will decide all such references, communicating, when necessary, with the Inspector General. Any officer of the Police who is dissatisfied with the decision of the Commissioner may submit his case to the Inspector General.

11. It must be borne in mind that, with the exception of the Magistrate of the district, no magisterial officers, whether in charge of a subdivision or not, are vested with any controlling authority over the Police. As Judicial officers they will try all cases brought before them on the formal complaint of a private party. If a subordinate Magistrate is of opinion that, in any case

coming before him, the proceedings of the Police have been illegal, or evince negligence, or want of intelligence, he will report the matter for the information of the Magistrate of the district.

12. Every prisoner must be forwarded from a Police station direct to the nearest Magistrate having jurisdiction, and must not be sent to the next superior officer of Police.

13. The powers of a Magistrate vested by law in the Inspector General, will be exercised, so far as may be necessary, in the absence of a Magistrate, only for the preservation of the peace, the prevention or detection of crime, or the apprehension or detention of offenders.

"Police superannuation fund," how formed.

14. The Police superannuation fund shall be formed from the following items :—

1st.—A deduction of half an anna in the rupee from the monthly pay of all Police officers of a class not entitled to a pension under the Uncovenanted service pension rules.

2nd.—Fines imposed for neglect or misconduct of Police officers, under sections 7 and 29 of Act V of 1861 ; and fines imposed by Magistrates on drunken persons, or on persons convicted of assault on Police officers.

3rd.—Proceeds of sale of useless and worn out equipments or articles of clothing provided for the use of the Police by the State.

15. It will be the duty of all Magisterial officers to keep up a separate register of all fines imposed by them under the third head. The fines realized will be sent to the officer in charge of the district treasury, who will credit the amount, under its proper heading, to the Police superannuation fund as hereinafter directed. At the close of each month the Magistrate of the district will send to the District Superintendent an abstract

from the registers shewing all the fines thus imposed in his district. No fines can be credited to the fund until the money has been actually realized; and when the order is appealable, until the appeal has been finally disposed of.

16. No charges on the superannuation fund are to be made without the sanction of the Government previously obtained. Rules as to the period of service and other conditions entitling members of the force to pensions or gratuities from the fund will be published separately.

Assets of "superannuation fund" how brought to account.

17. The following order of Government in the Financial department lays down the mode in which the fund is to be brought on the books of the treasury and finance departments.

No. 1214.

Extract from the proceedings of the Government of India in the Financial department, Simla, under date the 6th July 1864.

Resolution.

On a review of the existing arrangements for bringing to account the assets of the Police superannuation fund, the Governor-General in Council is pleased to issue the following instructions for general guidance throughout India :—

1. The authorized stoppages from pay on account of the fund are to be invariably deducted by the treasury officers from the pay abstract, and the net amount, only, paid to the District Superintendent.

2. The receipts of the fund, from other sources, which may be paid into a treasury by officers of Police, will also be credited by the treasury officers in their monthly cash account under the head of "Police superannuation fund," and an abstract of the entire monthly credits will be furnished by the Deputy Auditor and Accountant General, each month, to the Inspector General of Police.

A combined account of receipts and charges will also be prepared half-yearly by the Deputy Auditor General of the province, and furnished as may be directed by the Local Government.

3. Under this arrangement the remittance of stoppages and other realizations of the income of the fund, from one treasury to another, or to the Inspector General of Police, by means of transfer receipts, will be unnecessary, and such remittances are hereby prohibited.

4. Further, all cash balances of a Police superannuation fund which may be on hand in the Police department, or in deposit in private banks, will be paid into a Government treasury, and all Government securities or other stock in which any assets of a Police superannuation fund may be invested, will be entrusted to the Deputy Auditor and Accountant General, who will report for the information of Government all such transfers of stock.

5. When the accumulations in any province amount in the aggregate to five hundred rupees, they will be transferred by the Deputy Auditor General to a book debt account bearing interest at 4½ per cent., but without the issue of promissory notes. The interest will be calculated half-yearly, and the account will be rendered to the Local Government or Administration, to be published in the Local Government gazette, or to be otherwise dealt with as may be directed.

6. These instructions supersede the orders on the same subject communicated in Financial department resolutions, No. 5823, of the 11th May 1861, and No. 94, dated 17th February 1862.

18. Any refunds of assets so credited must be charged to deposits, and if the actual deposit has been remitted to Rangoon, the charge must be made against the next deposit which is placed at credit of the fund.

Duties of a Goung.

19. The Goungs (or Yazawut Goungs) are village Police officers exercising Police powers over the whole or a portion of a Thoogyee's or Kyunoke's circle. They are appointed and removed by the Deputy Commissioners of districts, by whom also they are paid. But they conduct their duties under the supervision and control of the District Superintendent of Police.

20. It is the duty of the Goungs to report instantly to their immediate superior and to make inquest into all cases of murder, wounding, burglary, theft, tumultuous assemblage, affray, and other henious offences occurring within their jurisdiction; and to apprehend and deliver to their immediate superior, persons accused or strongly suspected of having committed these offences, or of intention to commit them, and persons of suspicious character not having any ostensible means of livelihood.

21. Their superior officers to whom they will immediately report will be the Police officer in charge of the station or outpost within whose Police tract their circle is included.

Duties of a Kyay-dan-gyee.

22. The Kyay-dan-gyees, or heads of villages, are in Police matters subordinate to the Goungs, to whom they will report all crimes occurring within their knowledge.

23. Goungs have no fiscal powers whatever, and cannot be called on by the Thoogyees of circles to assist in either the assessment or collection of the revenue.

24. They also have no judicial powers of any description, but they will obey all orders, and execute, or cause to be executed, all warrants and processes addressed to them by the Police officer to whom they are subordinate, or by the judicial officers of the township or district.

25. Any Goung who may wilfully exceed, or abuse his powers, shall, on conviction before a judicial officer, be liable to fine, or imprisonment, or both, as provided in the Indian Penal Code.

26. Deputy Commissioners of districts will keep the Superintendents of Police, working in their districts, informed of all casualties and appointments among the Goungs as the same may occur from time to time.

27. The Kyay-dan-gyee of a village is, as his name imports, the principal tax payer in the same, not being otherwise in Government employ.

28. The appointment of Kyay-dan-gyees rests with the Deputy Commissioner of the district, who will be guided in his selection by the known status of the parties in their villages, the general wish of the villagers, and the recommendation of the Thoogyees of their circles, as submitted through the Myo-oke of the township in which the village may lie.

29. The Deputy Commissioner, on appointing or confirming a man in his position as Kyay-dan-gyee, will furnish the Superintendent of the Police in his district with a memo. of his name.

30. The Kyay-dan-gyee of every separate and distinct village containing 10 or more houses in which there is no salaried Yua-Goung appointed, is exempted from the payment of capitation tax, as provided in section 21 of the Revenue rules (Pegu), in consideration of his performing certain subordinate Police duties, which, from the custom of the country, devolve on him in the absence of a Yazawut Goung.

31. It is the duty of all Kyay-dan-gyees to report to the Yazawut Goung of their circle, having authority over their village, all cases of heinous crime such as Police officers are competent to

enquire into and take cognizance of, and as described in column 3 of the schedule annexed to the Criminal Procedure Act.

32. They will also do their utmost to immediately apprehend any parties in their village who may be guilty of committing such crimes, and hand them over to the nearest Police post or to the Yua-Goung, whichever may be closest, and any proper expenses incurred by them in doing this will be paid them out of the treasury.

33. Whenever the Thoogyee of the circle may come round for the purpose of assessing or collecting tax, the Kyay-dan-gyee should be in attendance on him as long as he is in his village, for the purpose of giving him all necessary information connected with the cultivated land, or other revenue subject of his village, but he will on no account be called on to himself undertake the preparation of any assessment roll, or collect any money, which are duties the Thoogyee alone is responsible for.

34. Except for the purpose of reporting crime or placing criminals as above noted in the hands of the Police, the Kyay-dan-gyees will not be liable to be called away from their villages, unless where required on regular summons.

GENERAL POLICE FUND.

This fund under Act V of 1861 has been abolished. All amounts now standing at its credit to be transferred to credit of "Police," vide letter No. 3194 dated 30th November 1865, from the Financial Secretary to the Government of India.

No. 2052.

NOTIFICATION.

FORT WILLIAM, HOME DEPARTMENT,

1st March 1866.

Under section 6 of Act V of 1861, the Governor General in Council is pleased to invest the undermentioned officers, attached to the police of British Burma, with magisterial powers :—

NAME.	REGIMENT OR CORPS.	DESIGNATION.	DISTRICT.
		Superintendents or Assistant Superintendents in charge of—	Martaban. Amherst. Rangoon. Akyab. Prome. Tavoy. Bassein. Toung-oo. Mergui. Myanoung. Ramree. Sandoway.

with reference to the foregoing notification the Chief Commissioner has been pleased to lay down the following rules :—

The magisterial powers above conferred on certain officers of police under section 6 of Act V of 1861, are to be exercised only in the absence of the ordinary magistrate of the district, or subdivision, or town, and so far as may be necessary for the preservation of peace, the prevention of crime, and the detection, apprehension, and detention of offenders in order to their being brought before a magistrate, and so far as may be necessary for the performance of the duties assigned to them (officers of police) by Act V of 1861.

That is, officers of police, vested with magisterial powers, shall exercise those, when it may be necessary to do so, only to the extent of all preliminary steps previous to offenders being brought to trial; but their powers do not extend to the trial and punishment of these offenders, as no such provision is contained in section 6 of the above Act.

Thus officers of police, vested with magisterial powers, are thereby authorized to issue warrants for the apprehension of criminals whom they may not, as officers of police, be authorized to arrest without warrant, they may, as magistrates, take the deposition of witnesses, whose death may be considered imminent; they may, as magistrates, commit accused persons to jail on satisfactory evidence taken and deposed to: all these to be exercised in the absence of the ordinary magistrate, and only in order to offenders being brought eventually before him.

Officers of police, invested with magisterial powers, are *not* thereby authorized to try and punish members of the police force, under section 29 of Act V of 1861.

PART IV.—REVENUE.

SECTION I.—LAND REVENUE.

RULES AND DIRECTIONS

FOR THE REVENUE ADMINISTRATION OF THE PROVINCE OF BRITISH BURMA.

Rangoon, dated 7th August 1865.

Revenue officers in the province.

1. The officers appointed for the administration of revenue affairs in the province of British Burma, are,

1st. The Chief Commissioner.
2nd. Commissioners of divisions.
3rd. Deputy Commissioners of districts.
4th. Assistant Commissioners.
5th. Extra Assistant Commissioners.
6th. Thoogyees.

The Chief Commissioner exercises the powers of the Board of Revenue, and has a general control over all revenue affairs throughout the province.

Districts how divided and administered.

2. Each district in the province is divided into townships, under Myo-okes. These are divided into circles, under Thoogyees, which are again sub-divided into village-tracts, comprising one or more villages. Thoogyees are nominated by the Deputy Commissioners, subject to the confirmation of the Commissioner. The necessary qualifications for these officers are a good character and ability to read, write, cipher, and measure land. Yua-Goungs are appointed for police duties, but may occasionally assist the Thoogyees. Kyay-

dan-gyees also within their own village tracts will assist the Thoogyees in revenue duties generally. In districts where the ancient custom of hereditary succession in the office of Thoogyee has existed, it will be still maintained as a general rule. All original circles will remain intact, and be entered separately in the registers and assessment rolls. The appointment of Myo-oke is subject to the approval of the Government of India.

Land tax. Portions of country to have fixed rates of assessment.

3. Every circle and every village-tract, has a distinct boundary. The paddy lands of each village-tract are divided into portions of country called "pyeng" or "queng," each bearing a distinctive name, and these constitute the smallest portions upon which a separate rate of assessment will for the present be fixed. The rate of assessment per acre will vary in amount according to the fertility of the soil, the situation of the land, the average local price of grain, and facility for intercourse with markets. Lists of these rates are to be retained in the office of the Deputy Commissioner, and in the office of the Myo-oke of the township within which the circle is situated. Gardens, orchards and miscellaneous cultivation will, in the several districts of the Pegu and Arakan divisions, pay for each acre the highest annual rate put upon paddy land in the same circle. In the district of Martaban, of the Tenasserim division, miscellaneous cultivation is assessed at the highest rate put upon paddy land in the same circle. The rates on gardens and orchards will be as follows:—

	Rate per acre.
Town and township of Martaban... ...	Rs. 1 8 0
All other parts of the Martaban district...	„ 1 0 0

Toungyas in the Martaben district pay at the rate of one rupee per acre.

In the remaining districts of the Tenasserim division, the annual rates per acre for gardens,

orchards, miscellaneous cultivation and toungya, will be as follows :—

TAVOY AND MERGUI.

		Rate per acre.		
GARDENS AND ORCHARDS.—In circles within a radius of ten miles from the limits of the chief towns	Rs.	2	8	0
Do. Beyond that radius	"	1	8	0
Do. Karen circles	"	1	0	0
MISCELLANEOUS CULTIVATION.—In circles within a radius of ten miles from the limits of the chief towns	"	1	0	0
Do. Beyond that radius	"	0	8	0
Do. Karen circles	"	0	6	0
TOUNGYA.—Everywhere	"	1 per dha.		

AMHERST.

GARDENS AND ORCHARDS.—A separate rate for each circle according to situation, as contained in the list in the Deputy Commissioner's office	"	5	0	0
	"	2	8	0
	"	1	8	0
	"	1	4	0
	"	0	8	0
MISCELLANEOUS CULTIVATION.—As above ...	"	2	8	0
	"	1	4	0
TOUNGYA.—Everywhere	"	1 per dha.		

All land left fallow will be charged at the rate of two annas an acre per annum to the owners.

4. The land measure to be used throughout the province is as follows :— **Standard of land measure.**

	Square feet.	
	226·865	= 1 pie.
12 pies, *i.e.*	2722·5	= 1 anna.
16 annas, *i.e.*	43560·	= 1 acre.

5. Land under "toungya" cultivation in the hill circles of the Pegu division will not be assessed by measurement. In the districts of Rangoon, Bassein and Myanoung each male engaged in the cultivation of toungya land will pay a tax of one rupee per annum, without reference to the area of the land he tills, or the number of separate plantations cultivated. In the other districts of Pegu and in the Arakan division, each family **Hill plantation.**

of toungya cutters, if all work together at one or more toungya plantations, pays one rupee for the whole family. A family for this purpose includes all residing under one roof, or having a common hearth.*

It is to be understood that toungya cultivation in the plains generally and especially in the delta of the Irrawaddy should be discouraged. Valuable fruit and other trees are still destroyed by toungya cultivators in that part of the province.

In the Arakan division toungyas are generally liable to measurement, and pay tax according to their area at one rupee per acre. In the Akyab district toungya cutters in the following circles only pay a tax of one rupee per man, and not by the area of the toungya.

CIRCLES.

1 Mro-theet-khyoung.
2 Kullah-pan-zin.
3 Tsyne-din.
4 Thai-gan.
5 Thamee-hla-preng.
6 Htee-tsway.
7 Thamee-hla.
8 Yo.
9 Yo Talop.
10 Than-htoung.
11 Rala-anouk.
12 Koladan.
13 Rala-ashe (East of Tsar-ai-khyoung.)
14 Ran-khyoung.
15 Rakaing-Mro-khyoung.
16 Ashe-lay-Mro-khyoung.
17 Taw-dan.
18 Ngo-zin-ryne.
19 Prwan-she.
20 Dyen-bow.

In the district of Ramree toungyas are everywhere measured except in the township of Aeng.

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* Land situated in jungle tracts in the low lands on which various products are raised, and which cultivated spots are generally termed "toungya," though not so strictly, are to be classed as "miscellaneous cultivation." Lists should be prepared of those hilly and remote circles in each district, to which only the toungya rates will apply, and within which no measurement of land for miscellaneous cultivation assessment will be made.

In the district of Toung-oo, certain tribes east of the Sittang river pay a yearly sum all round, without accounting for capitation or other tax separately. They are required to give no returns except a list of chiefs of tribes or villages, and the gross annual amount payable by each.

In the district of Sandoway toungyas are liable to measurement in the following circles only:—

CIRCLES.

1 Tsha-byeng.	14 Letwai-a-she-bhet.
2 Taw-lwai.	15 Myoma.
3 Kharin-gyee.	16 Nan-khyoung.
4 Mo-Moung.	17 Tsaw.
5 Kyouktaga.	18 Toung-thagyee.
6 Khoo.	19 Keintalee.
7 Padin.	20 Keintalee-ye-gyaw.
8 Pandaw.	21 Tain-gyoo.
9 Dzin.	22 Tshat-thwa.
10 Tsheng-goung.	23 Loungyoo.
11 Letwai-anouk.	24 Ye-hain.
12 Dzedee-byeng.	25 Gwa-let-wai
13 Shwe-gyoung-byeng-letya	

Duties of a Thoogyee.

6. It is the duty of the Thoogyee carefully to measure the land of each cultivator of his circle, and to deliver, through the Myo-oke of the township, to the Deputy Commissioner, on or before the 14th lazan of Tabodwe in each year, the following returns which are to be countersigned by the Myo-oke.

1st.—A land register (form No. 1)*showing the land under cultivation in each pyeng or queng of his circle separately; the names of the owner, or of the late owner, if after the death of such owner the land has remained undivided in his family, together with that of the actual cultivator and taxpayer for the year, and mortgagee, if any.

2nd.—A similar register (form No. 2) of land under cultivation not paying revenue.

3rd.—An assessment roll (form No. 3) showing the amount of land, and all other items of regu-

* Forms are not inserted in this Manual.

lar tax due by each tax-payer in his circle. From this the Deputy Commissioner will cause to be prepared separate receipts for presentation to each person, with a distinct specification of each item of demand (form No. 4.) These will be forwarded to the Thoogyee, through the Myo-oke of the township, who will cause them to be presented as soon as possible, to each individual paying tax, the date of presentation being noted on the back of the receipt. The revenue will then be collected and an endorsement made by the Thoogyee of the amount received, with date of payment, and signed by two witnesses. In this roll will be included the land tax levied in towns and suburbs on land occupied but not built upon (form No. 3 A.) A return of all land, paddy land, garden or otherwise, included in No. 3, as paying tax during the year which has been cultivated in consequence of embankments constructed by Government or by private enterprise, (form 3 B.)

4th.—A list of all new lands taken tax free for a term during the year, with the name of each person who has received them (form No. 5.)

5th.—Statements showing the increase or decrease, or both, of every description of cultivation in his circle, during the year, with a brief explanation of the causes of either, (forms No. 6 and 7 are given as a guide for this return.) The Thoogyee is bound to retain copies of all registers, rolls, statements, &c., rendered by him.

6th.—In estimating whether land is to be measured and entered in the assessment roll, as cultivated land liable to tax, the Thoogyee or land measurer will be guided by the fact whether seed has been sown therein during the year on account

of which the assessment is to be made. Should the seed, say the paddy seed, have been sown broad cast, or the plants have been planted out, and the produce subsequently have been destroyed by flood, drought, or otherwise, the land over which the seed has been cast, or on which the plants have been planted, will be entered in the assessment roll as liable to revenue, but will be noted for remission, either in full or in part according to circumstances. This rule is not intended to be applied to land which has received exemption from tax for a term of years, and which term is still unexpired.

Thoogyees' measurements to be tested if necessary before the 30th April.

7. Should the Deputy Commissioner consider it necessary to test any of the land measurements, as entered in the assessment roll delivered in by the Thoogyees, care should be taken to ensure, if possible, that all enquiries having that object in view, shall be concluded before the close of the official year, (30th April.) If this be not attended to much delay will occur in closing the annual settlement papers.

Land tax through whom to be paid.

8. Each cultivator will pay land tax for each of the fields he tills through the Thoogyee in whose circle such field is situated.

How often to be paid.

9. Land shall pay tax once in a year only according to its class, as paddy land or otherwise. The assessment on palm and other trees which, from peculiar circumstances, cannot be included in the area of land paying revenue, will be entered separately in the assessment roll (No. 3) as well also the tax on dhanee plantations, and other items as shown in the form annexed. But all fruit trees should if possible be included in the area of land assessed at a fixed rate per acre. The rates of tax to be annually levied on trees

Tax leviable on trees.

assessed under this rule in each district, are shown in the following table :—

Division.	District.	Palm trees, each.			Cocoanut trees, each.			Betelnut trees, each.			Mangoe, jack, tamarind, and all other fruit trees, each.			Remarks.
		Rs.	A	P.	Rs.	A	P.	Rs.	A	P.	Rs.	A	P.	
PEGU.	Rangoon...	0	4	0	0	4	0	0	4	0	0	4	0	Trees are not to be taxed unless they have arrived at maturity. The rates here laid down are the rates to be imposed on all trees which are not included in any land paying revenue on the area. Trees which are private property and Government trees will be charged for the same unless in special cases, where palm trees, not private property in the neighbourhood of towns, are let out by the year to toddy contractors. Trees hitherto held pertaining to kyoungs and pagodas are, of course, not to be taxed.
	Bassein.....	0	4	0	0	4	0	0	4	0	0	4	0	
	Prome.....	0	4	0	0	3	0	0	4	0	0	4	0	
	Myanoung.	0	4	0	0	4	0	0	4	0	0	4	0	
	Toungoo ...	0	4	0	0	3	0	0	4	0	0	4	0	
TENAS-SERIM.	Amherst...	0	0	0	0	0	0	0	0	0	0	0	0	
	Tavoy... ...	0	0	0	0	0	0	0	0	0	0	0	0	
	Mergui.. ...	0	0	0	0	0	0	0	0	0	0	0	0	
	Martaban..	0	0	0	0	0	0	0	0	0	0	0	0	
ARAKAN.	Akyab.....	0	2	0	0	2	0	0	0	0	0	2	0	
	Ramree. ...	0	2	0	0	2	0	0	0	0	0	2	0	
	Sandoway.	0	2	0	0	2	0	0	0	0	0	2	0	

The details of nets and sea-fisheries will be shown in the return No. 16, and of bees-wax licenses in form No. 25.

Remission of land tax.

10. All applications for remission of tax must be made, in the first instance, to the Myo-oke of the township, who will, after personally enquiring into the truth of the alleged grounds for remission, forward the application with his report thereon as early as possible to the Deputy Commissioner, or to the Assistant in charge of the township. All applications for remission of tax on account of drought, inundation, blight, or other injury to a crop or on account of failure of crop shall be made while that crop is still on the ground or they will not be received, unless good cause is shown for the delay. Applications for remission on account of wrong measurement, or other causes unconnected with the condition of

the crop, shall be preferred winthin ten days from the date of the revenue receipt being given or tendered to the person from whom tax is demanded by, or by authority of a revenue officer. If the period of ten days be exceeded, such applications shall not be received unless upon good cause being shown for the delay.

For remission statement see form No. 26.

GRANTS OF WASTE LAND.

Regulation for grants of waste lands by Thoogyees and by Deputy Commissioners.

11. Thoogyees are empowered to make grants of small portions of waste or jungle land for paddy cultivation, not exceeding five (5) acres, and to grant exemption from tax on account of land which has lain fallow, under the following regulations :—

1st.—On a person making application for waste or jungle land, it will be the duty of the Thoogyee to go to the spot himself and make a sketch of the ground, or, if he connot do this, measure it and note its boundaries. He will then attach a notice to the zayat, or other public place of the nearest village, and otherwise in the most effectual manner make it generally known that an application has been made for the piece of ground, and that unless cause is shown to the contrary, within fifteen days from the date of notice, it will be granted to the applicant. Should no other claimant appear within the time stated, the Thoogyee will give the applicant a grant of the land, (form No. 8) and enter the grant in a register of the same form to be kept by him for the purpose. The grants will be numbered annually by each Thoogyee, commencing at the beginning of each Burmese year. From this statement the return No. 5 is to be made out.

2nd.—A preference shall be given by the Thoogyee in granting waste land under this rule to the owner or owners of the fields nearest to and

adjoining on such waste land, if he or they make application for it within the term of 15 days stated in the notice required to be published by para. 1 of this section.

3rd.—Lands granted under this section shall be exempted from assessment for different periods, according to the description of jungle upon them at the time of making the grant, agreeably to the following table :—

Class.	Description of jungle.	Period of exemption.
1	Short grass, if the land has not been cultivated within five years	1 year.
2	Long grass, if the land has not been cultivated within five years	2 years.
3	Reeds, elephant grass, bushes, whether the land has been cultivated before or not	3 years.
4	Small trees not exceeding one foot in diameter at 2 cubits above the ground	5 years.
5	Large trees exceeding one foot in diameter at 2 cubits above the ground...	7 years.

4th.—Land which in order to be cultivated requires to be thoroughly drained, or strongly bunded to prevent the entrance of water, shall be entitled to the same period of exemption as land of the 5th class, without reference to the description of jungle upon it. Land which requires the construction of bunds, or dams for irrigation, at an expense probably not exceeding four rupees per acre of the quantity of land reclaimed or irrigated by means of the bund or dam, shall be entitled to the same period of exemption as class 3rd, without reference to the description of jungle upon it.

NOTE.—The period of exemption is to be counted from the expiration of the Burmese year in which the order is given, if that happens less than four clear months before the close of the year.

5th.—Land may be taken under this section from the Thoogyee for the purpose of planting fruit trees and other plants, and shall be exempted from assessment for periods according to the following table, without reference to the description of jungle upon it at the time of its allotment :

Class.	Description of trees and shrubs.	Period of exemption.
1	Cocoanut, betelnut, mayan, spice and all palm trees, except dhanee	12 years.
2	Dorian, mangostein, dhanee, mangoe, jack, and all other fruit trees, except plantain	8 years.
3	Plantain, pan vine, sugar-cane,* neeba (madder,) &c.	1 year.

6th.—The class to which any land, applied for under clauses 3 and 5, shall be considered to belong, is to be determined by the description of jungle existing, or fruit trees or shrubs planted on three-fourths of its area, or as near that proportion as possible. When plantains are planted *bonâ fide* only as shade to cocoanut, or other trees, they will not be considered as forming a plantain garden.

7th.—A Deputy Commissioner may make grants of land not exceeding 100 acres in extent each, on the terms above-mentioned. They will be registered by him in a form similar to that prescribed for Thoogyees. (No. 5.)

8th.—No person shall, for the present, have new lands on the above terms of exemption, otherwise than as an addition to his existing cultivation, or unless he has never cultivated land before. The circumstances however, of a culti-

* This does not apply to that description of sugar-cane which is an annual plant.

vator leaving part of his existing cultivation *bonâ fide* fallow, will not preclude him from obtaining fresh allotments of waste or jungle land.

Granted lands claimed by former owners.

12. Should any one afterwards claim land granted under these rules to another party, he must file a suit in the civil court for its recovery, but in the event of a decree being given in his favor, the land will not be made over to him until after the ensuing harvest.

Intention of reclaiming lands to be notified to Thoogyee.

13. The intention of reclaiming, or of trying by a suit to reclaim land on the principles declared in section 12, must be made known to the Thoogyee before the full moon of Kasong in each year, otherwise it will not, unless with the consent of the cultivator, be made over until after the ensuing harvest.

Abandonment of land after period of exemption provided against.

14. Should any cultivator, having received land under section 11, abandon the land so allotted him after the period of exemption, under circumstances which prove that he had used the land only for the profit to be gained from it during such period of free occupancy, and not for purpose of ulterior cultivation, he shall be liable, at the discretion of the Deputy Commissioner, to assessment in arrears for the period of exemption, either at the full or reduced rate for land of similar description in the circle in which the land is situated.

Period within which granted.

15. All land which has remained uncultivated, or for which land tax has not been paid for a period of twelve years, shall be absolutely at the disposal of the State, and no person shall be competent to raise any claim to, or upon such land by reason of any former occupancy of, or right of property in the said land on the part of himself, his ancestors, or his family or any person whatever.

16. Persons who have once made over to a Thoogyee or other revenue officer, or abandoned, that is to say, allowed one year or more to elapse without either by themselves or their assigns cultivating or paying land tax on any land previously in their possession, or to which they have any hereditary claims, shall ordinarily be held to have thereby forfeited all their right, title and interest to such land thenceforth and for ever. But if the land so made over or abandoned shall have been for twelve years in the uninterrupted possession of the person who abandons it, or of the party or parties from or through whom he derives his title to the said land, or of such party or parties and himself in unbroken succession, then such persons, his heirs, or assigns, shall have the right of reclaiming the said land at any time within twelve years after the said land shall have been made over or abandoned as aforesaid. Provided however, that if the party to whom the land shall have been allotted by the Thoogyee or other Government officer, shall have planted fruit trees, strongly bunded it, or otherwise invested capital in the permanent improvement of the land, the person wishing to redeem it, shall only be allowed to do so, on paying to the person in occupation the value of such improvements, to be determined either by private arbitration or a suit in court as may be agreed upon by the parties.

Right of reclaiming abandoned land under certain circumstances.

This rule will not be applicable to lands granted by Government under the Resolution of his Excellency the Governor-General in Council, dated the 17th October 1861, or subsequent rules for purchase of land.

17. When land has been mortgaged and the mortgagee placed in possession, the right of the mortgager to redeem shall cease and determine at the expiration of twelve years from the date originally fixed for foreclosure, or of twelve years

Possession of mortgaged land for 12 years gives right of ownership.

from the date of the mortgage, if no fixed period for foreclosure was originally agreed upon, mortgagees, their heirs or assigns, in possession of land, the right of redemption of the mortgage on which has expired as aforesaid, shall be considered to have acquired the twelve years' proprietory right which under the preceding section entitles owners, their heirs or assigns, to reclaim their land within twelve years after they shall have once abandoned it.

Intention of abandoning land to be reported to Thoogyees.

18. All owners of land, whether coming under the above descriptions or not, shall report to the Thoogyee in writing before the full moon of Kasong in each year, if there is any portion of the land previously held by them which they do not intend to cultivate themselves, or for which they have not provided a cultivator during the next season. The Thoogyee may then make over the land so left in his hands, or any portion of it, so that the portion be in one parcel, to any other person applying for it, subject to the right of redemption laid down in section 16. Unless a holder of land reports to the Thoogyee as above directed, he will be required to pay the tax on his land, whether he cultivated it or not. After having reported to the Thoogyee his intention not to cultivate, he can only again take up the land, or any portion of it, by authority from the Thoogyee, who may, if the land be not already made over to another party, restore it or any portion of it, in one parcel, to the original holder.

CAPITATION TAX.

Returns connected with capitation tax.

19. On or before the 15th lazan of Wagoung of each year, the Thoogyee will deliver in the following returns:—

1st.—A return (form No. 9) showing the amount of capitation tax payable by each person liable to

such tax, the number of males exempted, and the reason of their exemption. From this the Deputy Commissioner will cause to be prepared separate receipts (form No. 10) for presentation to each individual by the Thoogyee, who on receiving them will proceed without delay to collect the tax, as directed in the 3rd para. of section 4. In the towns of Bassein, Myanoung, Prome, Thayet-myo and Toung-oo, an annual land assessment is levied in lieu of capitation tax. For the collection of the assessment separate rules have been drawn up. In the town of Rangoon a similar assessment is levied under rules passed by the Government of India, and in the towns of Akyab and Kyouk-phyoo under Act XXXV of 1852, passed by the Legislative Council of India. In these towns the return will be in the form of the register attached to form No. 9, and a receipt in that form will be tendered to the tax payer. This return is to be prepared by the Goungs of quarters, or Thoogyees.

2nd.—Statements showing the increase or decrease, or both, in the amount of the capitation tax in his circle during the year, with a brief explanation of the cause of either (forms 11 and 12.)

3rd.—A population and general statistical return, (form No. 13.)

20. The present yearly rates for capitation tax are as follows:— Rates of capitation tax.

PEGU.

Districts of Rangoon, Bassein, Myanoung, and Prome.

In the plains all married men under the age of 60 years, 5 rupees a year.

Bachelors between the ages of 18 and 60 years, and widowers under the age of 60, half that rate or rupees 2-8.

In certain townships of Pegu the ordinary rates of capitation tax will be lower than above, thus :—

In the part of the Htandawgyee circle, north of the Lay-ben-pawh-yo and of the Leppan-khyoung, the rates will be 2 rupees for married families, and one rupee for widowers and bachelors.

Township of Khyoung-tha, district of Bassein, west of the Arakan hills, rupees 4 for married families, and half rates for bachelors and widowers.

In the following townships of the district of Prome the ordinary rates in the plains will be rupees 3 for married families, and half those rates for bachelors and widowers ;—Mengdoon, Mengdat, Myayday, Thayet-myo west, Kama north, Myohla, and Tsindook.

In the district of Toung-oo the ordinary rate in the plains will be rupees 4 for married families, and half rates for bachelors and widowers.

In all the districts the rates of capitation tax in the portions of country where the system of cultivation termed "toungya" prevails, is as follows :

A married man under 60 years of age rupees 2 per annum, bachelors between 18 and 60 years and widowers under 60, rupees 1 per annum.

It is expressly to be understood that tribes who hitherto have not paid capitation tax are not to be called on to do so, or to pay any tribute whatever. Those tribes who already pay a fixed tribute, will continue to do so.

TENASSERIM.

Districts of Amherst and Martaban.

In the plains all married men under the age of 60 years, 5 rupees a year. Bachelors between the ages of 18 and 60 years, and widowers under the age of 60, half that rate, or rupees 2-8 per annum.

In the hills, or where the system of toungya cultivation is followed, the rates of capitation tax will be as follows :—

Married men under 60 years of age, rupees 2; bachelors between 18 and 60 years and widowers under 60, 1 rupee.

District of Tavoy.

Married men under 60 years of age, per annum rupees 4; bachelors between 18 and 60 and widowers under 60 years, rupees 2.

In the country east of Nwa-la-bo range south of the Toung-byouk river and north of the Talaing-yo river and village of Na-boo-lay, the following rates will prevail :—

Married men under the age of 60 years, per annum rupees 2; bachelors and widowers as above 1 rupee.

District of Mergui.

Married men under 60 years of age, rupees 3.

Bachelors between 18 and 60 years and widowers under 60, rupees 1-8.

In the country bordering on the Tenasserim river above Yay-boo, and on the Bau-kyop stream above the village of that name.

Married men under 60 years of age, per annum rupees 2; bachelors between the ages of 18 and 60, and widowers under 60, per annum 1 rupee.

ARAKAN.

Districts of Akyab and Ramree.

The ordinary rate in the plains will be, married men under the age of 60 years, 5 rupees a year.

Bachelors between the ages of 18 and 60, and widowers under 60 years, rupees 2-8 a year.

In the plains of the townships of Aeng, married men rupees 4, bachelors and widowers, rupees 2.

The rates of capitation tax in the hill circles, where the system of cultivation called toungya prevails, will be as follows :—

A married man under 60 years of age, rupees 2, widowers, 1 rupee.

Bachelors in the hill circles of Arakan do not pay capitation tax. Tribes who hitherto have not paid capitation tax are not to be called on to do so, or to pay any tax or tribute whatsoever. Tribes, who though paying heretofore have not been assessed by tax bills, will not be required to receive such bills.

District of Sandoway.

In the plains, married men under 60 years of age, 4 rupees a year.

Bachelors and widowers, rupees 2 a year.

In the township of Gwa the rates will be similar to those enumerated above for Khyoung-tha.

In the hill circles the rates will be as laid down for Akyab and Ramree.

Tax when to be paid.

21. Capitation tax will be levied only once in the year, during or about the month of Wagoung, and will be paid to the Thoogyees in whose circle the person liable to the tax resides. The rolls should be closed at a given time, and no after-assessment be allowed.

Persons exempted from capitation tax.

22. All females, all males, being less than 18 or more than 60 years of age, Government servants, religious teachers, all students and school masters, and those who from blindness, insanity, disease, or otherwise are incapable of gaining their livelihood, are exempt from capitation tax. The Kyay-dan-gyee of every village containing 10

BENGAL GOVT

or more houses in which there is no salaried Yua-Goung appointed, is also exempted from the payment of capitation tax in consideration of his performing certain subordinate police duties, which from the custom of the country devolve on him in the absence of a Yua-Goung.

Application for exemption.

23. Application for remission of tax on any of the above grounds must be made, in the first instance, to the Myo-oke of the township, who will forward it with his report thereon, as early as possible to the Deputy Commissioner or Assistant Commissioner in charge of the township. All applications for remission must be made within ten days from the date of the revenue receipt being given or tendered to the person from whom tax is demanded by, or by authority of, a revenue officer. If the period of ten days be exceeded such application shall not be received, unless good cause be shown for the delay. In all cases of verbal applications for remission of tax, the Myo-oke will note the reason alleged for the application, and not require a written petition, but include the nature of the application in his own report.

Exemption of immigrants.

24. All immigrants from any part of the British territory, other than the province of British Burma, will be exempted from capitation tax for five years. Immigrants from foreign countries will also be exempted for five years. On their arrival the Thoogyee will submit to the Deputy Commissioner a register of their names and former abode (form No. 14,) when a certificate of exemption will be granted them (form No. 15.) All documents from Thoogyees to come through Myo-okes. It is the duty of the officer in charge of the district to enquire at intervals, whether all immigrants receive their exemption certificate or not. In his tour into the interior this should be carefully attended to.

TAX ON FISHERIES.

Fisheries of two classes.

25. The fisheries are divided into two classes:

1st.—Sea, or salt water fisheries.

2nd.—Inland fisheries.

The first class contains those for which operations are carried on in the open sea by boats, or in salt water creeks and estuaries.

The second comprises the different lakes, ponds, tidal creeks, streams or rivers, in which fish are captured by nets, screens, traps, or other contrivances. In some cases a defined tract of country, land and water, is rented out. In others mere license is granted to use fishing implements.

Tax how assessed upon sea fisheries.

26. The tax upon the sea fisheries is assessed upon the traps called "dameng" and "hmyoon." Each fisherman before commencing the season's fishing, that is to say on or before 1st lazan of Ta-soung-mong, is required to report to the Thoogyee of his circle the number of traps he intends to employ during the season.

Assessment roll of fisheries.

27. The Thoogyee will prepare and submit to the Deputy Commissioners, through the Myo-oke of the township, an assessment roll of fisheries, both sea and river net tax, in form No. 16. The Deputy Commissioner from this roll will cause to be prepared in his office tax receipts (form No. 17) which will be forwarded to the Thoogyee for realization. The amount of tax on these fisheries will also be entered in abstract under column 15 of form 3. Turtle banks will also be entered in this return.

Thoogyee responsible for collection of tax.

28. The Thoogyee will be held strictly responsible for the due collection of this tax, and he will be required personally to ascertain that all persons employed in sea or river fishing have

been registered, and that the full number of traps and nets in the possession of each person is assessed.

Statements of increase and decrease.

29. As soon as practicable after the preparation of the assessment roll, the Thoogyee will forward to the Deputy Commissioner statements showing the increase or decrease in this tax during the year, with a brief explanation of the causes of either (forms 18 and 19.)

Penalties for evasion of tax.

30. Any fisherman attempting to evade the payment of this tax by not reporting himself to the Thoogyee, or understating the number of traps used by him, will be liable to double assessment upon all traps found, or which he can be proved to have had in his possession during the fishing season, or any part thereof; and all the fish and ngapee he may have caught or manufactured will be liable to confiscation. He will likewise be liable to fine.

Tax on inland fisheries, lakes and ponds.

31. Of the inland fisheries the lakes and ponds will be rented out by the year, on or about the full moon of Kasong, to the inhabitants of the villages in their immediate vicinity, by the Deputy Commissioners or such officers as they shall authorize to make the arrangement. No fishery can be sub-let without the sanction of the Deputy Commissioner. The lease may at any time be cancelled by the order of the Deputy Commissioner or any superior authority, on good cause appearing for such measure. The boundaries of inland fisheries, whether ponds, lakes, or parts of tidal and other streams, must be distinctly laid down and are not to be extended on any account. No streams should be dammed up which are required for navigation; nor should dams for fisheries be allowed where cultivation is injured by the water inundating adjoining land. Certain small creeks in each district should be left free and not included in fisheries. It must be considered as a fixed

principle that fisheries, if too much extended, become a source of oppression to the people. The renter or renters of a fishery having defined boundaries merely acquire the right to take fish within that boundary for sale, but all the neighbouring inhabitants have the right to take fish therein for their own consumption and for their own household, free of any charge whatever. It is impossible to lay down fixed rules applicable to all cases for regulating this assessment. The Deputy Commissioners must exercise their discretion in fixing the amount to be levied annually on each fishery with reference to its ascertained value and productiveness. The amount will be paid to the Myo-oke of the township, or direct to the treasury of the district, as may be found most convenient. Each fishery should be reduced in extent as much as possible in order that poor people may be able to take some as renters. These fisheries are not to be put up to auction. As a general rule one half of the amount of tax should be taken at the time when the amount of rent is agreed upon, and security be taken for the remaining moiety, which should be paid six months afterwards. The detail of lake and pond fisheries is to be sent annually to the Commissioner in form 20. For form of license see No. 21.

Large creeks not to be rented out.

32. Creeks and streams of a large size, used as main channels for navigation, should not be included in fisheries rented out. In such streams persons may take out licenses to use nets at the sanctioned rates. In those creeks and streams which can without public inconvenience be rented out as fisheries, and in which dams or weirs may have been permitted to be constructed, suitable openings for the passage of boats must be left.

Penalty for preventing cattle drinking water at a fishery.

33. Any person who shall prevent, or attempt to prevent any one from bringing his cattle to drink water at any lake, pond, stream or other

water, on the ground that it is included in a fishery which is rented from Government, or any person who shall receive or who shall demand any sum of money for permitting cattle to drink at any place rented as a fishery, shall be liable to the penalties described in rule 50, and, if the renter of a fishery, his license shall be forthwith taken away, and all sums he has paid to Government for such fishery shall be forfeited, as well as any dams, weirs, or other works he may have built within the fishery.

Renters failing to pay tax due.

34. In the event of the parties who have executed a bond, agreeing to pay a fixed rent for the fisheries of lakes and ponds, failing to pay the amount of any instalments due, the lease of the fishery for the remainder of the year will be disposed of in such manner as shall be found most advantageous. The lessee will be responsible for any loss incurred.

Remission of tax.

35. All applications for remission of this tax on account of losses sustained through an unfavourable season, bursting of bunds, or other causes, must be preferred ten days at least before the last instalment falls due to the Myo-oke of the township, who, after personally enquiring into the truth of the alleged grounds for remission, will forward the application, with his report thereon, to the Deputy Commissioner or other authorized officer.

Tax upon nets used in inland fisheries other than lakes and ponds, &c.

36. For the right of fishing on the seaboard and in the main rivers and creeks of the province which are not included in the boundaries of fisheries referred to in rule 31, a tax is placed upon the nets used, the annual rates for which are shewn in the following table :—

List of nets in rivers and streams and on the seaboard in the provinces of British Burma, which are liable to tax, with amount of annual tax to be levied on each.

Names of Nets.	Name of district and rate on each description of net.											
	Pegu.					Tenasserim.				Arakan.		
	Rangoon.	Bassein.	Prome.	Myanoung.	Toung-oo.	Amherst.	Martaban.	Tavoy.	Mergui.	Akyab.	Ramree.	Sandoway.
	R	R	R	R	R	R	R	R	R	R	R	R
1 Gawa									4			
2 Hmaw			2	2								
3 Hmway paik galay	20					10	10					
4 Hmyaw paik gyee	25					25	25	20	20			
5 Hmyaw paik ngay								7				
6 Hmyaw paik		6	5	6								
7 Htsay *												
8 Kaya and hmyoon								3	2			
9 Khyan lamoo										10	10	10
10 Khyeedoh		30										
11 Kyee doung												10
12 Kyoon gyee paik			2									
13 Kwon					6							
14 Lamoo byay									20			
15 Lamoo gyee								16	16			
16 Lay gweng paik										10	10	
17 Let matan paik			5									
18 Let padan paik	5					5	5					
19 Loot gyee								20				
20 Loot ngay								7				
21 Mek kwoon	4		2	6		4	4					
22 Myeet kheng paik	5					5	5			10	10	
23 Nga tha louk paik	5	4	5	4		5	5			10	10	10
24 Nga tsein paik...												
25 Nga wa...								5				
26 Ngin paik										10	10	
27 Paik gyee	35		20	25		35	35			15	15	
28 Paik khyee do or kweet woon queng.	30											
29 Paik lot or hna loon queng			5									
30 Paik tseik	10		8									
31 Paik tsoon kyoo										10		
32 Paik woon boo...	30		23	30		30	30					
33 Pashoo paik										12½	12½	
34 Ran paik										10	10	10
35 Tan soung paik										12½	12½	
36 Tsanda								25	25			
37 Tshway paik gyee or paik touk gyee,				30	30			20		10		
38 Tshwai paik galay		20		20	20							
39 Zin dwin paik										15		
40 Waing paik									10			

* Note.—These are nets used in the Tavoy district, and the privilege to use them is given out to parties at different prices.

It is to be understood that all licenses for nets and traps, and all leases of lakes and ponds terminate on the 30th April, at whatever period of the year they may have been granted. But in some districts the termination of the period for inland fisheries depends upon local circumstances, which must be allowed for.

Applications for licenses.

37. Applications for licenses to use nets are to be made through the Thoogyee and Myo-oke of the township, where the privilege is proposed to be exercised. Half the amount is to be paid in advance. The Myo-oke will then report to the Deputy Commissioner, who will issue the license. The amount of tax due upon all nets is to be collected by the Thoogyee of the circle where the fisherman follows his calling. The annual statement of inland nets made by the Thoogyee, will be in the same form as for sea fisheries (No. 16), an abstract of which is to be given in column 15 of form No. 3.

Fisheries in hill townships excluded.

38. All fisheries situated in townships or circles, where, from the nature of the country, the system of toungya is pursued, shall be free. No licenses for nets or otherwise shall be required to take fish in streams or ponds in such circles. The fishing in the streams of remote places also should be free, although the system of toungya does not obtain.

Penalties for fishing without a license.

39. Any person found fishing without a license within any inland fishery which has been leased out, will be liable to fine, and, in default of paying the same, to imprisonment or to attachment and sale of his personal property in payment of the same. Such portion of the fine or proceeds of the sale of property as may appear proper to the officer deciding the case, may be paid to the party injured. If no property, or insufficient, be found, imprisonment will be carried

out with abatement at the discretion of the officer presiding.

Penalty for poisoning fisheries.

40. Any person putting the bark called "hoon," or any poison in a fishery, will be subjected to a fine of rupees five hundred, and if done by the farmer himself, or with his knowledge and consent, the fishery will also be resumed.

SALT TAX.

Rates of salt tax.

41. This tax is levied upon the pots employed in the manufacture. The annual rates at present are as follows :—

In the Pegu division—each earthen pot holding about 6 gallons, 12 annas in the Rangoon and 8 annas in the Bassein district ; each iron cauldron, 5 rupees or at the above rate, according to capacity. In the Myanoung district, 1 rupee for each iron cauldron, and 2 annas for each earthen pot, if used.

In the Tenasserim division—each earthen pot producing on the average 1 viss of salt at the boiling, 8 annas ; each iron cauldron rupees 2-8 or at the above rate, according to the capacity of its production. In the Martaban district the rate is 6 annas on each earthen pot. In the Arakan division the rate is 8 annas for each earthen pot.

Manufactories to be visited by Thoogyees.

42. In the month of March of each year, the Thoogyee will visit each of the salt manufactories in his circle, and ascertain by a personal examination the number of pots and cauldrons in each furnace. He will include them in his general assessment roll. The Deputy Commissioner will cause to be prepared and delivered to the Thoogyee, for collection, a tax receipt (form No. 22.)

43. As soon as practicable after the preparation of the assessment roll, the Thoogyee will forward to the Deputy Commissioner statements showing the increase or decrease in this tax during the year, with a brief explanation of the causes of either (form 23 and 24). Statement of increase and decrease.

44. Any manufacturer who fraudulently conceals from the Thoogyee any of the pots or cauldrons used by him in the manufacture of salt, shall be charged double assessment on all pots or cauldrons which may be found, or which may be proved to have been in his possession during the season, and all the salt he has manufactured will be liable to confiscation. He will likewise be liable to fine. Penalties for evasion of tax.

BEES WAX.

45. In form 25 is given an assessment roll for bees' wax. Bees' wax.

GENERAL RULES.

46. Any person who fails to pay any amount of tax due by him within ten days after a demand being made, and a receipt offered by, or by order of a public officer, or any person who, after diligent search cannot be found in order that the tax bill or receipt may be presented to him, shall be liable to the following processes:— Processes against revenue defaulters.

1st.—A written order to be issued by the Myooke of the township on the complaint of the Thoogyee or by the Thoogyee himself, if so authorized by the Deputy Commissioner, warning the party that unless payment of the amount of tax, with all expenses incurred by reason of the default, be made within ten days from the date of notice being served upon him, or affixed to his dwelling, or otherwise published, he will be liable to arrest and imprisonment in the civil jail, and his property, real and personal, will be attached

and will be liable to be sold in satisfaction of the demand.*

2nd.—At the expiration of the time fixed, if the defaulter still neglect to pay or to appear, he may be apprehended by the Myo-oke and forwarded to the Deputy Commissioner to be confined in the civil jail, the whole of his property will at the same time be attached; his personal property will, after due public notice of not less than ten days, be sold first, and if that is insufficient to satisfy the demand, then, and not otherwise his real property also.

3rd.—After the sale of real and personal property the defaulter shall not be liable to further imprisonment, or to arrest, if he shall satisfy the Deputy Commissioner of the district that he has not wilfully concealed or made away with any of his property, but has done his best to pay the amount due.

Commission paid to Thoogyees.

47. The amount of commission payable to Thoogyees upon the revenue collections, is ten per cent. on all collections up to rupees 6000 within the year. If the collections exceed that amount, half the above rates of per centage will be allowed on the surplus.

Accounts, &c. to be prepared by the Thoogyees.

48. Every Thoogyee, on his appointment, will report in writing to the Deputy Commissioner what documents he has received charge of from the person he has succeeded, and for what year. It is the duty of the Deputy Commissioner, and of the Assistant Commissioners, and of the Myo-oke, to see in their tours of inspection that the revenue returns, &c., are carefully preserved by those under their authority.

* By regulation 5 of 1812 section 14 (Bengal Code) ploughs and other implements of husbandry, cattle employed in agriculture and the tools of artizans are not subject to distress and sale on account of arrears of rent. The powers of distraint possessed by a collector in the regulation provinces are the same as those passed by a private proprietor in the provinces against his tenants. See regulation XXVII of 1803, section 14 clause 2.

49. Any Thoogyee who omits to measure land in the proper season, or who delivers false or incorrect returns or accounts, or who in any way neglects his duty, or delivers any tax bill to any one but the tax payer, or any other than the person duly authorized to collect tax, or disobeys any lawful order of his superiors, will be liable to fine or suspension or dismissal from office, at the discretion of the Deputy Commissioner.

Punishment for neglect of duty and other offences by Thoogyees.

50. All complaints against Government revenue officers or persons employed in the revenue department, of making or being accessories to unauthorized collections and receipts on any account, or of corruptly receiving more than is due to Government, shall be received and decided by the Deputy Commissioner, or may be referred by him for trial to his Assistant. Persons convicted of such offences shall be liable to be sentenced to refund the amount exacted, with damages equal to double the amount as well as a heavy fine to Government proportionate to the circumstances of the offender, which decree shall be enforced by the process prescribed in other cases; and if the property of the offender, which shall be applied in the first instance to make good the damages and costs adjudged to the party injured, shall be in any case insufficient to make good the fine to Government, the officer before whom the case may be tried may order the fine to be commuted to imprisonment for such period, not exceeding six months, as on consideration of the case may appear to him adequate to the offence.

Penalties for illegal exaction of revenue or otherwise.

51. Any person who maliciously or vexatiously makes a false complaint, or resists any process in the revenue department, may be punished, by the officer before whom such complaint may be decided, with fine.

Punishment for false complaints and resistance of process.

52. All complaints relative to arrears of Government taxes or disputed revenue accounts

Revenue cases by whom to be tried.

shall be received and tried by the Deputy Commissioner in his capacity of revenue collector. A Deputy Commissioner may refer any such cases for trial to his Assistants, or he may empower an Assistant to try them without a special reference in each case.

Complaint in revenue matters before whom to be preferred.

53. All complaints connected with arrears or exactions of rent on land, or of dispossession of lands, houses, premises, wells, water-courses, or disputed boundaries beyond the limits of the Town Magistrate's jurisdiction, shall in like manner be heard and decided by the Deputy Commissioner in his capacity of revenue collector, provided the complaint is preferred within three months from the date on which the cause of action arose. The Deputy Commissioner will summarily execute his decrees in cases connected with rent or land under clause 2, rule 46. No appeal shall be allowed in such cases; but any party may, if dissatisfied with the decision, institute a regular suit in the civil courts to set it aside, and to obtain the rights or redress to which he considers himself entitled. Cases under this rule may be referred to Assistants for trial.

Language of record in revenue cases.

54. Cases tried by Deputy Commissioners or their Assistants in their capacity of revenue officers, may ordinarily be recorded in Burmese; the final order, that is the decision and the reasons for it, will, however, be invariably written in English by the officer deciding the case, if that is his vernacular language, and a translation filed on the record. It will, however, be at the discretion of the officer trying the case, to record the proceedings of cases under section 50 in English, where he may consider it advisable to do so.

Costs in revenue cases.

55. In all cases tried in the revenue department, the officer deciding them may award expenses of suit at his discretion, and if the expenses are not paid may levy the amount by dis-

traint of the personal property of the party liable.

Appeals.

56. All orders of the Assistants and Extra Assistants are appealable to the Deputy Commissioner, and all orders of the Deputy Commissioner are appealable to the Commissioner, provided the appeal is preferred within fifteen days from the date of decision. This rule applies to all orders and decisions passed in abkaree or other revenue cases. The Commissioner may also, if he sees fit, revise any order of a subordinate, although the period of appeal be passed.

Assistant may be placed in charge of township.

57. An Assistant may be placed by the Commissioner in charge of a township with the powers of a Deputy Commissioner, but under his general supervision.

Return to be furnished by grantees of land.

58. All holders of grants of lands in British Burma shall comply with such instructions as they may from time to time receive from the Deputy Commissioner of the district in which their grant is situated, relative to furnishing returns of population, of capitation tax, and other statistics relating to their grants. Such returns shall be furnished in the same form as those required from the circle revenue officers. Any grantee refusing or neglecting to give such returns when duly required from him, or furnishing wilfully false returns, will be liable to fine.

Penalties for obstructing the measurement of land.

59. Any grantee or other person who shall offer obstructions to the measurement of any land in his grant, or of other land in his possession after the measurement has been duly authorised by the local revenue authorities, or shall incite other persons to do so, shall be liable to fine and to payment of all expenses incurred through his act of obstruction.

Fines if not realized, may be commuted to imprisonment.

60. The amount of all fines imposed under these rules, except such as are imposed under section 50, and the amount of all expenses ordered to be paid, may, if not paid by the party or parties lia-

ble, be levied by the sale of his or their personal property; or if not paid and no property be found, or property insufficient to cover the full amount of the fine, the party may for each case be sentenced to imprisonment in the civil jail for any period not exceeding three months.

Punishment for breach of revenue rules.

61. The breach of any provision in, or the omission of any act required by any of these rules, will, when no amount of fine or other specific penalty is assigned in such rule, subject the offender to a fine not exceeding two hundred rupees for each offence, and in default, to imprisonment not exceeding three months.

Revenue returns when to be forwarded.

62. In the office of the Deputy Commissioner, the revenue returns will be made out according to forms 26 to 37 inclusive, and forwarded to the Commissioner with the revenue report, as soon as practicable after the close of the official year. The returns of sea and river nets as No. 16, and and of lake and pond fisheries No. 20, are also then to be forwarded, being full copies of those received from the Thoogyees. They may be in Burmese.

Population returns.

63. The Deputy Commissioner will also forward on the 1st January of each year the population return of his district, (form No. 39) and return of emigrants and immigrants (form No. 40.) These are made out from the returns of the Thoogyees of the previous month of Wagoung (vide rule 19.)

Returns of miscellaneous receipts.

64. A return of all miscellaneous receipts and collections will be made to the Commissioner annually, in the form No 43.

Appeals.

65. All appeals from decisions or orders in the Revenue department by the Commissioner of a division, must be made to the Chief Commissioner within thirty days from the date of such decision or order. Copy of the order or decision appealed against must be filed.

The Chief Commissioner may call for the proceedings of any revenue court or office in the province of British Burma, although no appeal may have been made therefrom, and may pass such orders thereon as appears to him proper.

Stamps.

66. All appeals made from orders or decisions passed by the Deputy Commissioner in revenue cases, must be made to the Commissioner of a division on a stamp of the value of one rupee, and appeals or special appeals to the Chief Commissioner must be on a stamp of the value of two rupees. Any other petition or application in revenue matters to the Commissioner of a division must be on a stamp of the value of eight annas, and to the Chief Commissioner on a stamp of one rupee. Copy of any order or decision filed must be on a stamp of the value of eight annas.

No petition, application or appeal made to any revenue officer, except a Commissioner or Chief Commissioner, need be on stamped paper.

Appeals against orders in the abkaree department, and against orders under other rules.

67. The time within which appeals may be made under these rules will apply also to appeals made against orders in the abkaree department, and against orders under other rules connected with revenue or taxes. Appeals in the abkaree department, and against orders passed under other rules connected with revenue, must be made upon stamped paper of the same value as is fixed for appeals made to Courts of appeal under these rules.

Returns to be made to Chief Commissioner.

68. The annual returns to be made to the Chief Commissioner, are marked 1 to 13 in the book of forms. These returns should be despatched so as to reach the Chief Commissioner's office not later than the 1st of September of each year. A complete report on the revenue of the division for the year is to accompany the statements. Directions regarding the principal subjects which are to be treated of in the report are added in a minute.

RULES

FOR THE EMPLOYMENT OF ASSISTANTS AND EXTRA ASSISTANTS OF THE FIRST CLASS IN REVENUE ADMINISTRATION, WHEN STATIONED AWAY FROM THE HEAD-QUARTER STATION.

1. Every Assistant or Extra Assistant stationed away from a head-quarter station of a district, will have a certain number of circles or townships placed under him. Such circles will be designated by the Deputy Commissioner with sanction of the Commissioner of the division.

2. All assessment rolls, either for capitation tax or for land, will be delivered to the Assistant; he will inspect them, and is responsible for their correctness. He is expected to make personal inquiries into the entries, so as to satisfy himself whether they are, on the whole, correct or not. He will then certify on the assessment roll that he has inspected it, and inquired both as to persons and land entered therein, and will add whether it is correct or not, with his signature.

3. He should proceed personally round a village to ascertain if the entries in the capitation tax roll are correct, and he should measure a certain proportion of the land of each village to ascertain if the area has been correctly entered.

4. After having signed the roll he delivers it to the Thoogyee to take in to the Deputy Commissioner.

5. With due diligence such inquiries will not delay the delivery of a capitation assessment roll into the Deputy Commissioner's office beyond the the middle of August. In regard to the assessment roll for land tax, the Assistant, in as many cases as possible, should superintend the first construction of it by the Thoogyee, and not wait un-

til it has been completed. By thus scrutinizing the formation of the land assessment roll, the Thoogyee will be instructed in his duty, accuracy will be obtained, and delay prevented. This roll should always be in the Deputy Commissioner's office by the middle of February.

6. All collections of revenue will be made by the Thoogyee as heretofore, but he should be directed to refer to the Assistant for orders in all cases of difficulty.

7. Each Assistant should be empowered to receive and inquire into all cases of application for remission of tax, within the circles under his orders. He should forward his proceedings, with a distinct recommendation on each case, to the Deputy Commissioner, or he may be empowered by the Commissioner to pass final orders in such cases.

8. The Assistant should be empowered to grant certificates of exemption from capitation tax to all new settlers. He should countersign the Thoogyee's report of such cases to the Deputy Commissioner, as the register of them must remain in the Deputy Commissioner's office. It is his duty to search out cases and require the Thoogyee to make the report regarding the arrival of the new settlers.

9. The Assistant Commissioner will also see that the Thoogyee correctly prepares the registers of jungle lands newly brought into cultivation. He will countersign these registers. The population returns he will also countersign.

10. The Assistant generally has a complete control over the Thoogyee in revenue affairs, but he will never take charge of cash collections. For the safety of these the Thoogyee is alone responsible.

11. All land measures should work under the direct orders of the Assistant Commissioner, or Extra Assistant in the circles under them.

STAMPS.

The following portions of schedule B., Act No. X, of 1862, *are applicable to revenue cases in British Burma.*

	Proper stamps.	
	rupees.	annas.
Article 5. Copy of a judgment or order not being a decree if passed by a Court below the Sudder Court, or in any revenue Court	0	8
If passed by the Sudder Court	1	0

If the judgment be translated into any other language, application for a copy of the translation may be made on unstamped paper, and a copy of the translation may be given in addition to, or in place of, the copy of the judgment, and shall bear the same stamp.

EXEMPTION.

Copy of any judgment, decree, or order, if passed otherwise than on appeal in any Court below the Sudder Court in any suit, or in relation to any suit, or in any revenue Court in which the value of the claim does not amount to fifty rupees when such copy is taken out of the Court making the same.

	Proper stamp.	
	rupees.	annas.
Article 6 Copy of any revenue or judicial proceeding, or order not provided for in article 5, or falling under the exemption to that article, or copy of any account, statement, report, or the like, taken out of any civil or criminal Court, or any revenue Court or office for use or reference, or when left on proceedings in place of the original withdrawn... ... ...per sheet	0	8

Article 7. Copy of any deed, instrument, or writing, stamped in accordance with schedule A annexed to this Act, when left on proceedings in place of the original withdrawn.	The same stamp as the original when such stamp does not exceed 8 as., otherwise a stamp of 8 as. per sheet.

Article 8. Mookteearnamah, wakalutnamah, and other power, filed or presented for the conduct of any case in any Court of justice, or before any revenue authority :—

	Proper stamps. rupees.	annas.
When presented to the Sudder Court ...	2	0
When presented to the Board of Revenue or other chief controlling revenue authority.	2	0
When presented to a Commissioner of revenue, or to a Commissioner of customs, not being the chief controlling revenue authority.	1	0
When presented to any Court, civil or criminal, other than the Sudder Court, or to any Collector or other revenue officer ...	0	8

Article 9. Petition of appeal, not being from an order rejecting a plaint, or from a decree or order having, by any law, the force of a decree ; and petition or application presented to any civil court, shall be written upon stamp paper of the following value, viz ;—

	Proper stamps. rupees.	annas.
When presented to the Sudder Court ...	2	0
When presented to any Court below the Sudder Court	0	8

SPECIAL RULE.

Article 10. Petition of appeal to the Board of Revenue or other chief controlling revenue authority	2	0
Any other petition or application to the Board of Revenue or other chief controlling revenue authority	1	0

EXEMPTIONS.

Petition to a Collector or officer making a settlement, relating to matters connected with the assessment of lands, the ascertainment of rights, or to any other matter affecting the settlement of the Government revenue on land, if presented pending the formation of such settlement.

Petition to a Board or Commissioner of Revenue relating to the same.

GENERAL RULES.—If the subject matter of any plaint, written statement, petition, or copy of a decree or order cannot be conveniently comprised within one stamp paper of the value prescribed

by this schedule, one or more additional pieces of paper may be used bearing a stamp of the value required for petitions. This rule does not apply to copies of judgments; any additional pieces of paper required for such copies do not require to be stamped.

MINUTE

ON THE PREPARATION OF THE ANNUAL REVENUE REPORT FOR EACH DIVISION OF BRITISH BURMA.

Rangoon, 1st September 1864.

1. On the 1st May 1863, the Chief Commissioner issued a minute relative to the preparation of the annual revenue report. It is now reprinted to be attached to the revenue rules with such alterations as have become necessary.

2. Revised forms marked from 1 to 13 have been issued, and copies are now attached.* It is expected that the annual report from each division will reach the Chief Commissioner in (all) August.

3. The entries in form No. 1 will suggest the main points to be noted in the report. First in importance is the land tax. The area of the cultivated land for the year and the assessment thereon, both as compared with last year, should be carefully noted and explained. Any increase or decrease in cultivation, should be fully and clearly explained, as well as increase or decrease in assessment or tax. It is clear that if there has been an increase in the rates of tax per acre, there may possibly be an increase in money, while there is a very dangerous decrease in area. It is necessary therefore to explain everything. Then, the explanation should be separate for each kind of cultivation;—paddy land, gardens, miscellaneous, or toungya. In some parts of the country, in the plains, toungya cultivation is very pernicious, and should be prevented as much as pos-

* NOTE.—Forms not inserted in this Manual.

sible. Proposed remissions on account of land should be very fully and carefully explained, the area of the land and the description of land on account of which remission is asked, and the amount of tax due thereon being distinctly stated.

4. It is frequently supposed, that when there is an increase of cultivation, little or no explanation is required. This, however, is not the case. Explanation in such cases is desirable with respect to future years. For increase sometimes comes from fortuitous circumstances, which are not likely soon to occur again. It should be stated in each year, what area of the assessed lands is land which had been exempted in the previous year on account of being new, and for how many years it had received exemption. Land cultivated in previous years and thrown out of cultivation, for whatever cause, should be noted on.

5. In districts where assessment is made by quengs, and rates vary on blocks of land close adjoining each other, it is essential that the Deputy Commissioner should watch the effect of those rates closely. In the report it should be noticed, whether the existing rates on a queng show, from a total increase or decrease of cultivation therein, that the rate is probably too high or otherwise. In such case every inquiry should be made with a view to lowering the rate if deemed necessary. The general result of an alteration of rates, as it has tended to affect the cultivated area, should be carefully shown, and the former and existing rates per acre be mentioned.

6. In districts where leases have been granted for a term of years, they should be fully noticed in the annual report. Whether they have succeeded or not, and whether the payments have been prompt, and an increase of cultivation by the lessees actually brought about.

7. Any sale of waste land, under the Government rules, should be carefully noticed, as well as grants under rules of Government for more than one hundred acres.

8. The next heading of importance is the capitation tax. The explanations required will refer not only to the money collections, but to the number of persons taxed. Further explanations as to increase and decrease should be given, whether arising from increase of rate of tax, new settlers becoming liable to tax, or natural increase of population. For towns, where a house tax exists in lieu of capitation, similar explanations are required.

9. The number of tickets of exemption issued to new comers should be carefully entered, and notice taken of the countries the settlers have come from. It is, of course, understood that no person passing from one district or division of British Burma to another, is considered as a new settler.

10. A full report is also to be made regarding fisheries, explanation being given both of increase and decrease. It should be stated whether the lakes and ponds have been rented out to the neighbouring villagers, or put up to auction. The latter method should never be resorted to. It is far better to lose revenue, than to have recourse to a plan which throws the people on the tender mercies of a speculator for one of the necessaries of life.

11. Of late years the revenue derived from salt has been very uncertain. In a country having a capitation tax, it is not considered desirable to raise a large revenue from salt, still the duty on the manufacture must be carefully seen to, and full explanations be given as to the rates of excise and the causes of increase or decrease.

12. The forest produce also is to be fully explained.

13. As a special report is made on customs, details are not here entered into as to what is required for this heading in the annual revenue report. But full explanation is to be given regarding increase and decrease of duty.

Export and import of jade stone and all articles over a quarter of a lakh in value, to be noted separately.

14. The Abkaree is also to be fully explained. It should be shown of what separate items this branch of the revenue is composed; whether opium (net profit on sale of the drug and farmer's rent) and other drugs, spirits, toddy and so on, and how the revenue is taken, whether by an excise duty on the consumption per gallon, or by farming out the right to sell. Any increase or decrease will, of course, be fully explained.

15. All other items of revenue will be also carefully explained, and I need hardly say demand particular care and attention.

16. The local funds will be carefully separated from the imperial revenue. These also should be lucidly explained; in the town of Rangoon some licenses for sale of liquor have lately been made over to the municipal fund. The local funds' reports and returns, though submitted at the same time as the revenue report, are to be entirely distinct and separate. Forms for the annual account of local funds are under preparation. A general memo. of the accounts demandable, will continue to be made at foot of return No. 2, in order to get an idea of the whole revenue demand for the year at a glance.

17. There are many other small items of revenue which will require remark, but which it is not necessary here to particularize. Dunnee

plantations in Rangoon and Bassein to be worked at toungya rates.

18. The report should enter very fully into the state of the balances due on the revenue for the year. The balances due on 31st July, or date of report, should be shown separately for each item, as :—

Land.....rupees
Capitation..... „
Fisheries..... „
Abkaree..... „ and so on.

19. Full explanation should be given as to the causes of delay in receiving payment and the probabilities there may be of all being still collected.

20. A separate paragraph should be devoted to a report on persons who have been put into jail for not paying their revenue. A return in form No. 12 is required.

21. Finally, the above directions are given as a guide to what is absolutely essential, and should be noticed in the report. But each division will no doubt present many peculiar subjects worthy of notice.

22. Each Commissioner is requested to report fully on the merits of officers in charge of districts.

23. In all cases where embankments have been formed to exclude inundations, or weirs built to retain water, or canals to convey it for irrigation, or drains dug to carry off superfluous water, the same should be noticed in the annual revenue report, and the effect of those works on agriculture should be detailed.

In order to do this, the Deputy Commissioner of the district should be instructed to direct the Thoogyees of circles to enter separately in their land assessment rolls, and to be distinctly specified, land cultivated in consequence of such works and improvements. In the revenue report the area of such land should be carefully mentioned,

and all interesting or useful information regarding it, be placed on record.

It will not be necessary, however, to show separately in the rolls, land which has been cultivated in consequence of embankments, or other works, unless the quantity so cultivated by reason of any one work would exceed one hundred acres. In all cases it should be stated whether such works have been constructed by Government, or otherwise.

RULES

FOR THE COLLECTION OF A 5 PER CENT. CESS FOR LOCAL PURPOSES IN BRITISH BURMA, AND FOR LAYING OUT THE FUNDS SO COLLECTED TO THE BEST ADVANTAGE. SANCTIONED BY GOVERNMENT OF INDIA IN LETTER NO. 461, DATED 25TH JANUARY 1865, FROM FINANCIAL SECRETARY.

Rangoon, 29th August, 1865.

1. For the present this cess is leviable for local purposes on the following taxes only :—

Land tax. Fisheries. Net tax.

It will not be leviable for land tax in towns where municipal tax is paid. All settlements of land or fishery revenue for a term of years will include this cess.

2. The cess is in addition to, and is not to be deducted from, existing rates on land and fisheries. It is payable in the following proportion for each head :—

	PER CENT.
Roads	1
Education	1
Daks	$\frac{1}{4}$
Chowkeydary or village watch	$2\frac{3}{4}$
Total ..	5 per cent.

3. In each tax-payer's tax receipt for land, fishery, or net-tax, an additional column will be entered showing the amount of cess payable by him at the rate of 5 per cent on his tax.

4. This cess will be collected by the Thoogyees at the same time as the land or other tax, and will be paid by them into the treasury in a separate sum; each Thoogyee to show clearly how much is paid on account of imperial revenue, and how much on account of cess.

5. After the Thoogyees' accounts have been checked in the district revenue office, the different sums will be carried to credit; the regular revenue in the imperial treasury books, and the cess in a separate form, as below described (form A.)*

6. The several district officers will keep in the revenue office, assessment and account books of this cess, in forms A and B.

Form A should be maintained for each circle, and should have (as usual) a total running account appended to it—vide A.1

Form B should be a debtor and creditor account for each of the (4) four funds.

7. The transactions of each fund are to be kept quite distinct.

8. The different amounts to credit of each fund will be shewn separately in plus and minus memoranda at close of the month as those of other local funds are now shewn.

9. A quarterly return, form C, will be sent by each Deputy Commissioner to the Commissioner of the division and the Accountant General, shewing the balance in favour of each fund.

10. The expenditure of the funds must be confined strictly to the purposes for which they are intended; but with the sanction of the Chief

* NOTE.—Forms not inserted in this Manual.

Commissioner, on the recommendation of the Commissioner of a division, a sum to credit on account of one heading may, on good cause being shewn, be loaned or transferred to another.

11. Deputy Commissioners can sanction and carry out works, the outlay on which will not exceed rupees 200—all works requiring a greater outlay, must be sanctioned by the Commissioner of division.

12. A quarterly return, form D, of the works carried out, and of the amount expended on each, will be sent by each Deputy Commissioner to the Commissioner for transmission to the Chief Commissioner's office, on the 1st May, 1st August, 1st November, and 1st February.

13. All propositions regarding establishments of schools, of district dâks, village watchmen, or of clerks or accountants required for keeping up books, &c., involving the monthly pay of an establishment, must be submitted for approval of Commissioners of division prior to sanction.

14. In all schemes proposed, it must be distinctly kept in view that the money must be devoted to those measures from which the greatest advantages will accrue to the people who actually pay the cess.

15. Thoogyees will be entitled to the usual rate of ten per cent. on the collections of cess, or if their revenue collections exceed 6,000 rupees, to 5 per cent. on cess collections, and to latter per-centage in excess of rupees 6,000 when both revenue and cess exceed that amount.

16. The cess is to be levied on the eighth, and not on the sixteenth, part of a rupee—thus if the tax amount to rupees 1-3, the cess will be leviable on rupees 1-4.

RULES

FOR THE SALE OF UNASSESSED WASTE LANDS, AND FOR THE REDEMPTION OF THE REVENUE OF SUCH LANDS ALREADY GRANTED FOR A TERM OF YEARS, IN THE PROVINCE OF BRITISH BURMA, TOGETHER WITH A SCHEDULE OF UPSET PRICES PER ACRE.

Published in the Calcutta gazette; under notification No. 150 *A. Foreign department, dated Simla, the* 30*th June* 1863.

To which is added a list of lands reserved with reference to rule No. 25.

1. All unassessed waste lands in which no right of proprietorship or exclusive occupancy is known to exist, or to have existed and to be capable of revival, are available for purchase under these rules, unless specially reserved under rule 25.

2. No greater quantity of land than five thousand acres shall be sold in one lot, except with the express sanction of the Chief Commissioner. If for special reasons, in particular localities, a lower maximum area than five thousand acres should be determined upon, it will be duly notified hereafter. There is no prohibition against the same person applying for two or more lots of land, provided that each application comprises no more than five thousand acres, or such other maximum as may be prescribed.

3. Every lot shall be compact, and shall include no more than one tract of land in a ring fence; and when the lot touches a public road or navigable river the length of the road or river frontage shall not exceed one-half of the depth of the lot; provided that if, for any special rea-

sons, the Chief Commissioner shall see fit to relax this restriction it shall be competent to him to do so. No lot will be sold unless it has been previously surveyed and demarcated, or until it shall have been surveyed and demarcated, in consequence of an application for purchase. The survey need only be in sufficient detail to ensure the ready identification of the boundaries of the lot, and to ascertain its gross area. If on completion of the survey it shall appear that the area of the land applied for exceeds the prescribed maximum, the excess shall be excluded.

4. If it should appear from the survey or otherwise that the application does not comply with the conditions, the Deputy Commissioner may call for an amended application, and in the event of a revised application not being given in within fifteen days, the application shall be held to be cancelled and the deposit shall be returned to the applicant, less the amount of expenses actually incurred for advertisement, survey, and the like.

5. Applications for the purchase of waste land shall be made to the Deputy Commissioner of the districts, and every application shall contain the following particulars :—

1st.—The estimated area of the land applied for.

2nd.—The situation of the land and its boundaries, as accurately as can be ascertained.

Applications shall immediately be entered in a register in the form A. attached to these rules.

6. If the Deputy Commissioner be satisfied that the land applied for is available for purchase and within the conditions prescribed in rules 2 and 3, and if it has been previously surveyed and demarcated, he shall advertise the lot for sale on a given day at an upset price of not less than one rupee an acre on the whole area. The adver-

tisement shall be published in the Deputy Commissioner's office, in the Court of the principal Judicial officer of the district, and at the revenue and police posts nearest to the property, as well as in any villages on the land or adjoining thereto.

An advertisement shall also be published in the local newspaper. The form of advertisement is given in annexure B. A sum of 16 rupees to cover all estimated expenses connected with advertising shall be paid by the applicant in advance at the time of application.

7. If the Deputy Commissioner be satisfied as above, and if the land have not been surveyed, he shall cause it to be surveyed and its boundaries demarcated, the estimated cost of such survey and demarcation being first deposited by the applicant. On the completion of the survey, the advertisement of sale shall be published as above.

The sum to be deposited will include the estimated cost of clearing the boundaries for survey, but is not, under any circumstances, to exceed four annas an acre.

8. The day of sale to be named in the advertisement shall not be less than thirty days from the date of publication, and the sale shall be held at the Deputy Commissioner's office. The sale may be postponed, if in the Deputy Commissioner's judgment it should be necessary, due notice being always given of the date on which the sale will be held.

9. Sales shall be held quarterly on the 2nd of May, 2nd of August, 2nd of November, and 2nd of January, or on the first day after those dates on which the Deputy Commissioner's office may be open. Where a sale is deferred the notice of the date fixed for it will be given by an advertisement at the Deputy Commissioner's office. If

the day to which the sale is postponed be more than fifteen days after the date originally fixed, the date to which it is deferred shall be published in the manner prescribed by rule 6, for the original notification of the day of sale. In this case all expenses of advertisement shall be borne by the Government.

10. If before the sale no claim of proprietary or occupative right in the land be preferred, the lot shall be sold by auction to the highest bidder above the upset price, or to the applicant at the upset price if there be no higher bid.

11. The cost of survey and advertisment will be payable by the highest bidder in addition to the upset price. Immediately on the conclusion of the sale the highest bidder (if he be not the original applicant) shall deposit a sum equal to four annas an acre on the whole area of the lot. In default of immediate payment of this deposit the Deputy Commissioner may at once re-sell the lot. If he thinks it necessary he may refuse to recognize any bid which is not supported by the deposit of the amount required by this rule. Immediately a sale is made it shall be entered in a register in the form C. annexed.

12. On payment of one tenth of the purchase money and of all expenses of survey, demarcation, advertisement and sale, the purchaser shall receive a deed in the form D. annexed, signed by the Deputy Commissioner, conveying to him the lot, in full hereditary and transferable proprietary right free for ever from all demand on account of land revenue; but subject, nevertheless, to all general taxes and local rates imposed by law and to the provisions of Act 23 of 1863, and any other legislative enactment which may hereafter be passed for disposing of the claims of third persons subsequently preferred.

13. If before the day of sale a claim of proprietary or occupative right in any part of the land be preferred, the Deputy Commissioner shall investigate the claim, and if satisfied that it is groundless shall reject it and proceed with the sale.

14. If on investigation any such claim should appear to be well grounded the Deputy Commissioner may either reject the application for purchase of the lands or refer it for the orders of the Commissioner. In the former case the applicant may appeal to the Commissioner.

15. The Commissioner may direct the Deputy Commissioner either to reject the application or to proceed with the sale of the land either unreservedly on the conditions prescribed in rule 2, or if any claim to right of proprietorship, occupancy, or use in any part of the lands be established to the satisfaction of the Commissioner, with a special reservation of such right, or exclusive of the area in which such right exists. If the application for purchase of the land be rejected the amount deposited shall, at the discretion of the Court, and according to the circumstances of the case, be forfeited or returned, less the amount of expenses actually incurred for advertisement, survey and the like.

16. On being put in possession of the lot the purchaser shall be bound to erect as many substantial boundary marks of masonry, and within such given time, as the Deputy Commissioner may think necessary, failing therein the Deputy Commissioner may cause the boundary marks to be erected and recover the cost thereof from the purchaser under the ordinary procedure for recovery of arrears of revenue.

17. If the land be purchased by any person other than the applicant, the estimated cost of

survey deposited by the applicant shall be returned to him.

18. The purchaser may, if he choose, pay the whole of the purchase money when the lot is sold or the deed delivered to him. Or if he choose he may pay a portion, not being less than ten per cent., at the time of sale, and the remainder in instalments at any future time, not being more than ten years from the date of sale. In the latter case simple interest at the rate of ten per cent a year will be charged on the unpaid portion of the purchase money, and the whole lot will remain hypothecated as security for the full discharge of the amount, including principal and interest, and be liable to sale by order of the Deputy Commissioner, if the said amount be not paid within the stipulated period.

19. The interest due for any year or part of a year under the above rule shall be payable on or before the 15th of May, and if the amount be not paid on that date the Deputy Commissioner may realize the amount by sale of the lot, under the rules in force at the time for sale of estates on account of arrears of revenue due from other estates. Any balance of the purchase money which may not have been paid up before the 15th of May of the tenth year following that of the sale, may be realized in the same manner as an arrear of interest outstanding on that date. The proceeds of the sale shall be applied, in the first instance, to the payment of costs of sale, and to the satisfaction of the demand of Government; the surplus shall be payable to the late registered proprietor or proprietors on their joint receipt.

20. If the purchaser fails to pay one-tenth of the purchase money and all other expenses within three months from the day of sale, the lot will

be put up to sale again on the same conditions as before and sold at the risk of the first purchaser, whose deposit will also be forfeited.

21. The upset price as given in the annexed schedule will be calculated on the whole area of the lot without any deduction on any account whatsoever.

22. If it should at any time be found that the same land has been included in more than one lot, it shall be held to belong to the lot first sold, and all subsequent sales shall, as regards such land, become null and void. In the event of any dispute regarding the boundary of two or more adjoining lots, the Deputy Commissioner may, on the application of any one of the parties, re-adjust the boundaries of the lots, and his decision shall be final. The price paid by any subsequent purchaser for land thus excluded from his lot will be refunded to him with simple interest at ten per cent.

The sum to be refunded will be calculated on the average price paid per acre, excluding the cost of survey and advertisement.

23. Grants which have already been given for a term of years at progressively increasing rents will be treated as if the land were permanently settled, if the holder wishes to redeem the future land revenue at the highest rate fixed for any year during the currency of the grant, provided there is no right of occupancy other than that of the lessee or that derived from him. The rates for redemption will be calculated according to the market rate of four per cent. Government securities at the time being, as directed in paragraph 75 of the despatch of Her Majesty's Secretary of State, dated 9th July 1862.

24. All sales of waste land and all the redemptions made under these rules in each division will be reported immediately to the Chief Commissioner in the form of an abstract of the entry from register B. prescribed in rule 11 above; but no sale of waste land once made by a Deputy Commissioner in conformity with these rules will be disturbed by any higher executive authority.

25. Reserves of inland fisheries and forest land, of land for the growth of fire-wood near towns and stations, of building sites, parks, recreation grounds, and the like, and of land required for other special purposes are not to be sold under the rules without the express sanction of the Chief Commissioner. A list of these lands is under preparation by the Chief Commissioner, and when it has been approved by Government it will be published. In the districts of Prome, Myanoung, Rangoon, Bassein, Toung-oo, Martaban and Amherst certain tracts of forest land are reserved and no grant will be made therein until the Deputy Commissioner shall, on each application, have communicated with the Deputy Superintendent of Forests, who will refer to the Superintendent and that officer and the Commissioner of the division will proceed under the special rules marked E. attached hereunto.

26. Lands for the purchase of which application has been made under the resolution of the 17th October 1861 will, if such application were duly registered, be dealt with in accordance with the terms of the said resolution so far as the law allows.

All proceedings taken in conformity with the resolution of 17th October 1861 will be recognized, and the pending proceedings will be continued under the provisions of that resolution. Where

the application has only been made and registered, the next step will be the issue of the advertisement required by paragraph 17 of the resolution. If the advertisement has already been issued and the term of it has expired, the Deputy Commissioner will proceed to give the applicant a certificate of allotment, under paragraph 18, unless others have come forward with offers to purchase the land, in which case the lot must be put up to auction under paragraph 30 of the resolution. In all such cases the sales will be regulated by the present rules.

Rules for redemption of land tax.

27. Under paragraph 26 of the despatch of Her Majesty's Secretary of State, dated the 9th July last, a discretion is granted to Government to allow redemption of the land revenue in respect of "lands required for dwelling-houses, factories, gardens, plantations, and other similar purposes."

Under this authority the Chief Commissioner will be prepared to receive applications from the proprietors of lands of the nature above indicated for the commutation, by a single payment for ever, of the land revenue assessed thereon.

28. The price to be paid will, under paragraph 75 of the same despatch, be fixed according to the actual value at the time being of Government four per cent. securities.

29. Under paragraphs 35 and 75 of the despatch, redemption will only be allowed where the revenue is found to be fairly assessed, otherwise "a full, fair, and equable rent" will be imposed as a necessary preliminary to the measure.

FORM A.

REGISTER OF APPLICATION FOR WASTE LANDS UNDER THE ORDERS OF THE GOVERNOR GENERAL IN COUNCIL NO. 4206, DATED 15TH AUGUST 1862, PRESCRIBED BY SECTION 3, OF THE RULES FOR THE SALE OF WASTE LANDS IN BRITISH BURMA, DATED 30TH JUNE 1863.

1	2	3	4	5	6	7	8	9	10	11	12	13
Consecutive number of the applications in the order in which they are made.	Date of application.	Name and residence of applicant.	Number borne by the plot on register No. 1, of available waste lands.	Township in which situated.	Circle and village tract.	Estimated area of the grant, with its boundaries or other descriptive particulars.	Estimated cost of survey, clearances and publication of notifications.	Date of the amount in column 8 being deposited.	Date of completion of survey.	Date of issue of notification of sale at Collector's office.	Date fixed for sale.	Remarks.

FORM B.

Referred to in rule 6.

NOTICE.

SALE OF WASTE LANDS.

Notice is hereby given, that a lot of waste land consisting of about acres, situated in district, and bounded as shewn at the foot of this notice, having been applied for by under the rules for the sale of waste lands in British Burma dated will be put to sale by auction to the highest bidder above the upset price of rupees an acre, on the day of 18 , at the office of the Deputy Commissioner of The sale will be made in the manner, and subject to the conditions, prescribed by the rules above cited.

A. B.,

Deputy Commissioner.

Boundaries of the lot.

C.

REGISTER OF SALES OF WASTE LANDS UNDER THE RULES FOR THE SALE OF WASTE LANDS IN BRITISH BURMA, DATED 30TH JUNE 1863.

1	Consecutive number of the sales in the order in which they are made.	
2	Number of entry in register No. 1 of waste lands under which the lands are included.	
3	Number of application in register A.	
4	Township in which situated.	
5	Circle or village tract.	
6	Area and boundaries of the plot as ascertained by survey.	
7	Date of sale.	
8	Name and residence of purchaser.	
9	Date of possession being given.	
10	Amount paid for survey and advertisement.	
11	Price for which sold.	
12	Dates of instalments of the price being paid, with amounts (N.B. interest payments not to be shewn here.)	
13	Date and amount of interest payments and period to which they refer.	
14	Date on which the title becomes absolute by payment of the purchase money in full.	
15	Remarks, in which are to be entered all transfers subsequent to the sale, and the names of the persons to whom transferred.	

FORM D.

Deed of conveyance referred to in rule 12.

Know all men by these presents that the Chief Commissioner of British Burma has conferred on , his heirs, executors, administrators, and assigns the grant of a tract of land, measuring British statute acres , situated in , to be holden by him in full proprietary rights, subject to the following conditions :—

1. The purchase money for this grant is rupees of which rupees have been already paid. On* the if the entire money has not been paid up interest at 10 per cent. per annum will be charged on the balance, and thereafter until the entire purchase money be paid up such interest will be chargeable on all unpaid arrears of the purchase money, and all payments by the grantee shall be first carried to the credit of any outstanding arrear of interest due on such purchase money.

2. Arrears of interest shall be treated in the same manner as arrears of land revenue, and be subject to the same measures of realization.

3. No transfer of proprietary right, or transfer of interest or creation of new interest in the grant beyond a lease of three years, will be recognized by the Civil Courts or the Revenue officers of Government, unless duly registered in the office of the Deputy Commissioner of the district in which the grant is situated.

4. The right of way heretofore enjoyed by the public in roads now existing in the grant is not to be interfered with.

5. The grantee is to erect permanent boundary marks round his grant† and to keep them in a state of repair, and in the event of his failing to

* Enter the date calculated three months from date of this deed.

† This will ordinarily be done at the time of survey.

do so after due notice the Deputy Commissioner may cause them to be erected or repaired, and the cost thereof will be recoverable from the grantee in the same manner as arrears of revenue.

6. The grant conveys the plenary right to all products both above the surface and below the same (here any exceptions which may have been approved by superior authority to be noted.)

7. The prescriptive rights of other proprietors in streams running through, or bounding the estate, will be maintained for purposes of irrigation or navigation and for the transport of timber or other property, and for other purposes of general utility. The Government reserves to itself the right which it everywhere possesses over all such streams, whether for purposes of irrigation or navigation; and whenever it sees fit can assume the control of the waters and distribute them in such manner and on such conditions as may seem most conducive to the public good.

8. The lands included in this grant are shewn in the subjoined table :—

Number on map.	Number of grant.	Name of grant.	Name of grantee.	Area in acres.	Purchase money.

Boundaries—North,
East,
South,
West.

9. On the payment of the purchase money in full with all arrears of interest the grant will belong to the grantee free for ever from all demand for land revenue.

10. The title conferred by this grant will not exempt the proprietor from any taxes, cesses or liabilities (other than liability for the land revenue) which may hereafter be imposed by law.

E.

The tract of country situated within the limits described below is specially reserved from sale for forest purposes under clause 25 of the rules.

First.—The Irrawaddy river from the frontier to Myanoung.

Second.—The Pankaben Yo, which in the rains connects the Irrawaddy and Meimakha river.

Third.—The Meimakha and Hline river to the mouth of the Maubee Khyoung.

Fourth.—A line from the mouth of the Maubee Khyoung along the line of water-shed defining the drainage into that stream on the south and thence to Pegu town.

Fifth.—A line from Pegu town to Sittang town.

Sixth.—A line from Sittang town due east to the Beeling river, and thence along this river and the creek joining it in the rains to the Kyouksareet Khyoung.

Seventh.—The Kyouksareet and Domdamee Khyoungs downwards to the mouth of the latter.

Eighth.—A line due east from the mouth of the Domdamee Khyoung to the Hline-bouay river.

Ninth.—The Hline-bouay and Daghine river upwards to the top of Donat range.

Tenth.—The east slope of the Donat range at an elevation of 2,000 feet to the top of Mollait or to the Siamese boundary beyond it.

Eleventh.—A line from the top of Mollait or the Siamese boundary beyond it to Lampha village on the Houndraw river.

Twelfth.—A line from Lampha village due west across the Attaran river to the hills dividing the Winyeo river from the sea shore.

Thirteenth.—The east slope of the hills between the Zammee and Winyeo rivers on the one and the sea shore and the Yeh river on the other side, as far as the Siamese boundary at the three pagodas.

2. These boundaries will be subject to modification from time to time under the orders of the Government of India.

3. Should it in any instance be uncertain whether any land applied for is situated within or without these boundaries, the case will be referred by the Commissioner of the division to the Superintendent of Forests for report, and the order of the Chief Commissioner thereon will be final.

4. When an application for waste land within the above described tract is made to the Deputy Commissioner, that officer or any person deputed by him, shall, with the applicant and the Assistant or Deputy Superintendent of Forests in charge of the Forest division, proceed with as little delay as possible to examine the locality, and the Forest officer shall then report to the Superintendent of Forests. This report shall contain a sketch map of the locality, shewing the re-

lative position of the land applied for to the nearest teak localities, the streams or roads required for the transport of timber, the nature of the jungles on the land, and such other particulars as the Superintendent of Forests may from time to time direct to be furnished in these reports. To this report the Deputy Commissioner will then attach his remarks and despatch it to the Commissioner of the division, who will record his opinion and forward the report to the Superintendent of Forests.

5. The Superintendent of Forests will, if the report appears to him sufficiently precise and complete, record his opinion and recommendation as to whether the land or any part of it may be granted or not. If the report is not satisfactory, the Superintendent of Forests shall be at liberty to call for further information, either direct from the Forest officer, or from the Deputy Commissioner, through the Commissioner of the division. The Superintendent of Forests will submit his opinion and recommendation to the Chief Commissioner, whose orders will be issued through the Commissioner of the division for communication to the parties concerned.

6. No actual forest land, whether under the conservancy management of the Forest department or not, shall be sold under these rules without the special authority of the Government of India.

7. All sales of land that has been leased out to persons with authority to fell timber will be subject to the conditions of the several leases as to the conpensation to be paid to the lessee by the grantee; or, where no such special conditions have been made, the grantee will be liable to such payments on this account as the Chief Commissioner shall, in each case, consider equitable.

SCHEDULE OF THE UPSET PRICE OF WASTE LAND (NOT INCLUDING RESERVED TRACTS) PER ACRE IN BRITISH BURMA, UNDER RULE 21, PEGU DIVISION.

District.	Township.	Upset price.		
	PEGU DIVISION.	Rs.	A.	P.
Rangoon, ...	Syriam, ...	4	0	0
	Dawbone, ...			
	Thongwa, ...	3	0	0
	Pegu, ...			
	Angyee, ...	2	8	0
	Poungleng, ...			
	Hmaubee, ...			
	Zyneganyne	2	0	0
	Ingaboo, ...			
	Pyapong, ...	1	8	0
	Zwaybone, ...			
	Four remaining Townships, ...	1	0	0
Bassein, ...	Thee Kywn Pebeng, ...	2	8	0
	Bassein, ...	2	4	0
	Shwe Loung, ...	1	12	0
	Tsabayon, ...			
	Gwa Khyoung, ...			
	Khyoung Tha, ...			
	Yegyee Pandaw, ...	1	8	0
	Kyouk Khyoung Galay....			
	Myenoo, ...			
	Lemyathua, ...	1	4	0
	Six remaining Townships, ...	2	0	0
Prome, ...	Kalathinga, ...			
	Myohla, ...			
	Bootley, ...			
	Pyimbouk, ...	4	0	0
	Pyallok, ...			
	Thawonatoh, ...			
	Myanaddy, ...			
	Kama, ...			
	Shwelay, ...			
	Myo doung, ...			
	Tsin dok, ...	3	0	0
	Kyoon gone, ...			
	Mindoon, ...			
	Mindet, ...			
	Mogap, ...	2	8	0
	Nyoungbintseik, ...			
	Thayet, ...	2	0	0
	Meaday, ...			
	Ooosteit Toung, ...	1	8	0
	Yona Line, ...			
	Rest of District, ...	5	0	0
Myanoung,... ...	The whole District, ...	3	0	0
Toung-oo district,	Myoma, ...	1	0	0
	Three remaining Townships, ...	0	8	0

SCHEDULE—*(continued.)*

District.	Township.	Upset price. Rs.	A.	P.
	TENASSERIM DIVISION.			
Amherst, ...	Zaya, Circles of			
	Moodong, ...			
	Kamiouk, ...			
	Toungkeea Kyoung,	4	0	0
	Maiyan, ...			
	Kauparan, ...			
	Balouk,... ...			
	Waikalee, ...			
	Nantay, ...			
	Maiyoun, ...			
	Thee Tharo, ...			
	Kyke Myaw, ...	3	8	0
	Kareen Yua, ...			
	Meedoung, ...			
	Phanoan, ...			
	All the rest, ...	3	0	0
	Beeloogyoon, ...	2	8	0
	Gyne Attaran, Circles of			
	Kyou Taw, ...	4	0	0
	Nyoungbenzeik, ...			
	All the rest, ...	3	0	0
	Gyne Salween, Circles of			
	Kadoe, ...			
	Phaoon, ...	3	0	0
	Phataka, ...			
	All the rest, ...	2	0	0
	Attaran, ...	1	8	0
	Wagroo, Circles of			
	Amherst, ...			
	Nhit Kine, ...	3	0	0
	Ah That, ...			
	All the rest, ...	2	8	0
	Yea and Lamyne, ...	1	8	0
	Four remaining Townships, ...	1	0	0
Martaban, ...	Kyouk Kyee, Circle of			
	Kyouk Kyee, ...	2	8	0
	All the rest, ...	1	8	0
	Shoay Gheen, Circles of			
	Anouk Phet, ...			
	Thayet tha Maine,	2	8	0
	Quindaliah, ...			
	Nyoung Bin, ...			
	All the rest, ...	1	0	0
	Sittang, Circles of			
	Sittang and Shawy Hlai, ...	2	8	0
	The rest, ...	1	8	0
	Beeling, Circles of			
	Kykehto, ...			
	Tyke Kalah, ...	2	8	0
	Kaw Ka Mai, ...			
	Keen Ywah, ...			
	All the rest, ...	2	0	0

SCHEDULE—*(continued.)*

District.	Township.	Upset price.		
	TENASSERIM DIVISION—*(concluded.)*	Rs.	A.	P.
Martaban, (*concluded*)	Martaban, Circles of			
	Martaban, ...	4	0	0
	Zagadoon, ...			
	Kadine, ...			
	Darine, ...	3	0	0
	Mookee, ...			
	Poung, ...	2	0	0
	Tsanpanago, ...			
	Thatone, Circles of			
	Thatone, ...	2	8	0
	Gaw, ...			
	Zinngyaing, ...	2	0	0
	Maince Gong, ...			
	Kyke Taw, ...	1	0	0
	Daunoo, ...			
	Phagat, Circles of			
	Binlyne, ...	2	0	0
	All the rest, ...	1	8	0
	Yoonzaleen, ...	1	0	0
Tavoy, ...	North East Division, ...	2	8	0
	South East Division, ...	2	0	0
	West Division, ...			
	North East Karen, ...	1	0	0
	South East Karen, ...			
Mergui, ...	Mergui Division, ...	2	8	0
	Burmese Palaw, ...	2	0	0
	Burmese Tenasserim, ...	1	8	0
	Four remaining Townships, ...	1	0	0
	ARAKAN DIVISION.			
Akyab ...	Anouk Ngay, Circles of			
	Mrothect Kyoung			
	Mrotheet ...			
	Rivet nyo-doung...	1	0	0
	Minga la-gree ...			
	Phreng Phroo ...			
	Remaining Circles	1	4	0
	Rathay doung, Circles of			
	Angoo maw, ...			
	Tharet preng, ...			
	Kyoung Oung ...	1	12	0
	Motsee-gree ...			
	Nyoung-bin-gree ..			
	Motsee, ...			
	Kulla Panzin, ...			
	Htee-tsway, ...			
	Ngoay-doung, ...	1	0	0
	Tsyne-din, ...			
	Tha-gan, ...			
	Remaining Circles,	1	4	0

SCHEDULE,—*(continued.)*

District.	Township.	Upset Price.		
	ARAKAN DIVISION—*(continued.)*			
	Ooreet-toung Anouk, Circles of			
	Meck Kala-gya, ...			
	Taw-gan, ...			
	Wa-bo, ...	2	0	0
	Tsabhata Toung-bhet,			
	Tsabhahta Mrouk-bhet,			
	Yo, ...			
	Yoh-goo, ...			
	Hsing Deni Dein, ...	1	4	0
	Yotalop, ...			
	Oung-tseit, ...			
	Remaining Circles ...	1	12	0
	Koladan, Circles of			
	Koladan, ...	1	0	0
	Rala Ashay, ...			
	Thauhtoung, ...	1	12	0
	Rala Anouk, ...			
	Remaining Circles, ...	2	0	0
	Rak-hyne-mro-hong, or old Arakan, Circles of			
	Hsengo, ...			
	Phwaida, ...	2	0	0
	Ok Krwat, ...			
	Ranwa, ...			
Akyab—*(continued)*	Ran Khyoung, ...	1	8	0
	Kola-pan, ...	1	4	0
	Padaw, ...			
	Rak-hyne-mro-hong...			
	Loolin-byo, ...			
	Zeeza, ...	1	0	0
	Thoo-gnai-oaw, ...			
	Ashay lay mro Khyoung			
	Remaining Circles, ...	1	12	0
	Oorect Toung Ashay, Circles of			
	Pra, ...			
	Tseen-dôk ...			
	Hseng-byke, ...	1	12	0
	Tseen dot-gree, ...			
	Tha loon-toung, ...			
	Boa doung ...			
	Remaining Circles, ...	1	4	0
	Min bra, Circles of			
	Alai, ...			
	Nyaman ray, ...	2	0	0
	Khoung-loung, ...			
	Pra-khyoung, ...			
	Toung bhet, ...			
	Krin Mee Kyway, ...			
	Khan phrai, ...	1	12	0
	Htein dyne ...			
	Kywai det, ...			
	Let pan dyne, ...			

SCHEDULE—*(concluded.)*

District.	Township.	Upset Price.		
	ARAKAN DIVISION—*(concluded.)*			
Akyab—*(concluded.)*	Min bra, *(concluded)* Circles of			
	Taw daw, ...			
	Nga zin ryne, ...	1	0	0
	Dyne bon, ...			
	Remaining Circles, ...	1	4	0
	Akyab, Circles of			
	Toung Khyoung, ...	2	0	0
	Khamoung Khyoung...			
	Kau byne gree, ...	1	12	0
	Kau breng, ...			
	Mrouk Prui, ...			
	Peui na Khyoung, ...	1	4	0
	Mrai ngoo, ...			
	Inga rak hyre, ...	1	0	0
	Remaining Circles ...	2	8	0
Ramree, ...	Kouk Phyoo, Circles of			
	Tsoon bau Kyre, ...			
	Ko Ko, ...			
	Kwoon Khyoung, ...	1	0	0
	Myo Khyoung ...			
	Ngway dwen doo, ...			
	Remaining Circles ...	2	0	0
	Ramree—All the Circles thereof ...	2	0	0
	Aeng—All the Circles thereof	1	0	0
	Cheduba, Circles of			
	Rajkeoon, ...	1	0	0
	Remaining Circles, ...	2	0	0
Sandoway, ...	Northern, Circles of			
	Khaying-gyee, ...	1	0	0
	Kyouk-taga, ...			
	Remaining Circles, ...	1	8	0
	Central—All the Circles thereof	1	8	0
	Southern, Circles of			
	Kyeintalee bya, ...	1	0	0
	Remaining Circles ...	1	8	0

LIST OF LANDS RESERVED IN BRITISH BURMA UNDER No. 25 OF THE RULES FOR THE SALE OF WASTE LAND, SANCTIONED BY GOVERNMENT ON THE 30TH JUNE 1863, IN ADDITION TO SUCH AS ARE SPECIALLY RESERVED IN APPENDIX E. OF THE SAID RULES AND ALREADY PUBLISHED.

Division.	District.	Locality reserved.	On what account.
ARAKAN.	AKYAB.....	1 Island of Akyab	Being vicinity of town of Akyab.
		2 Within a circuit of one mile from the existing boundaries of all towns ...	For building purposes.
		3 Within a circuit of half a mile from the existing boundaries of all villages	For grazing purposes.
	RAMREE.....	1 Vicinity of town of Kyouk Phyoo within a circuit of one mile from existing boundaries	For building purposes.
		2 Do. do. Ramree do. do. ...	
		3 Do. do. Aeng do. do. ...	
		4 Do. chief town of Cheduba do. do. ...	
		5 Vicinity of all villages do. half mile do. ...	For grazing purposes.
		6 The tract of land between the Aeng and Taulway rivers	Iron wood forest.
	SANDOWAY..	1 Vicinity of Sandoway town, bounded east by Sandoway river, west by the Wadoungyo Hills, south by the Dah-thwa Khyoung, north by the Nan Khyoung	For building purposes.
		2 Vicinity of all villages within a circuit of half a mile from existing boundaries	For grazing purposes.

LIST OF LANDS RESERVED IN BRITISH BURMA, &c.—*(continued.)*

Division.	District.	Locality reserved.	On what account.
TENASSERIM.		All fisheries on Government land in the Tenasserim division, the limits of which may be ascertained at the office of the Deputy Commissioners ...	Reserved for rental.
	AMHERST....	1 Vicinity of the town of Maulmain within two miles of existing town boundaries to the north east, south and east sides	For building purposes.
		2 Vicinity of the town of Amherst within a circuit of one mile from existing boundaries	For building purposes.
		3 Vicinity of all villages within a circuit of half a mile from existing boundaries	For grazing purposes.
	MARTABAN..	1 Vicinity of the town of Shwe-gyeen within a circuit of one mile from the existing boundaries	For building purposes.
		2 Vicinity of all villages within a circuit of half a mile from existing boundaries	For grazing purposes.
	TAVOY.....	1 Vicinity of the town of Tavoy within a circuit of one mile from existing boundaries	For building purposes.
		2 Vicinity of all villages within a circuit of half a mile from existing boundaries	For grazing purposes.
	MERGUI.....	1 Vicinity of the town of Mergui within a circuit of one mile from existing boundaries	For building purposes.
		2 Vicinity of all villages within a circuit of half a mile from existing boundaries	For grazing purposes.

PEGU.		All fisheries in Government land in the Pegu division, the limits of which may be ascertained at the office of the Deputy Commissioners.	
	BASSEIN.....	1 Vicinity of Ngapootan within a circuit of one mile	As a depôt for a port.
		2 Vicinity of Bassein town within a circuit of two miles from existing boundaries	For building purposes.
		3 Vicinity of each other town within a limit of one mile from existing boundaries	do. do.
		4 Vicinity of all villages within a circuit of half a mile from existing boundaries	For grazing purposes.
		5 Negrais island	Coal depôt
		6 Diamond island	Depôt for Alguada Reef Lighthouse.
	PROME.....	1 Vicinity of the town of Prome within a circuit of two miles from existing boundaries	For building purposes.
		2 Vicinity of the town of Thayet-myo do. do. ...	do. do.
		3 Vicinity of the towns do. one mile do. ...	do. do.
		4 Vicinity of all villages do. half do. ...	For grazing purposes.
	MYANOUNG.	1 Vicinity of the town of Myanoung within a circuit of one mile from existing boundaries ...	For building purposes.
		2 do. Donabew do. do. ...	do.
		3 do. Zaloon do. do. ...	do.
		4 do. Henzada do. do. ...	do.
		5 do. Okh-Pho do. do. ...	do.
		6 do. Kanoung do. do. ...	do.
		7 do. Kanghen do. do. ...	do.
		8 do. Tsangynay do. do. ...	do.
		9 do. Hteindau do. do. ...	do.
		10 do. Monio do. do. ...	do.
		11 do. Myodwin do. do. ...	do.
		12 do. Taphoon do. do. ...	do.
		13 do. Mengyee do. do. ...	do.
		14 Vicinity of all villages do. half do. ...	For grazing purposes.

LIST OF LANDS RESERVED IN BRITISH BURMA, &c.—*(concluded.)*

Division.	District.	Locality reserved.	On what account.
PEGU—*(concluded.)*	TOUNG-OO...	1 Vicinity of the city of Toung-oo within a circuit of two miles from existing boundaries	For building purposes.
		2 Vicinity of each other town within a circuit of one mile from existing boundaries	do. do.
		3 Vicinity of all villages do. half a mile do. ...	For grazing purposes.
	RANGOON....	Suburbs and vicinity of the town of Rangoon within a circuit of 4 miles from the Magistrate's boundary, including the extra suburban allotments ...	For building purposes.
		An area of two miles square comprising Ngyoundoon town and vicinity ...	For building and grazing purposes.
		300 acres at Moukyoon-Laik-thoung (Elephant point)	For a sanitarium.
		An area of 2 miles square comprising Panlyne town and vicinity ...	For building and grazing purposes.
		An area of 4 miles square comprising Twantay and environs	For do. do.
		An area of 1 mile square in the township of Thanlyne	Syriam pagoda.
		An area of half a mile square in do. do.	An old fort.
		An area of 2000 acres in the township of Maubee	For Chinese imigrants.
		An area of 320 acres reserved round Karenne thaing and Kyouk Phyoo pagodas in Zyneganyne township	For convenience of pilgrims.
		A circuit of 2 miles from centre of present town of Pegu	For building and grazing purposes.
		An area of 20 acres in township of Pegu at Myanzayah	Old fort.
		An area of 15 acres in the circles of Myoungtaga	Old town of Hlyne.
		Vicinity of all towns not enumerated within a circuit of one mile from existing boundaries	For building purposes.
		Vicinity of all other villages within a circuit of half a mile from the existing boundaries	For grazing purposes
		Land on either side of the Pyne Khyoung to the breadth of 200 yards ...	For canal purposes.

REVENUE.

No. 154.

The 30th March 1865.

NOTIFICATIONS.

THE following rules for the grant of waste lands in British Burma, alternative to the rules published in notification No. 150 A, dated 30th June 1863, are published for general information.

A. COLVIN,
Offg. Under Secy. to Govt. of India.

REVISED RULES.

Classification of land.

1. The waste lands in the province of British Burma shall be classed as follows, and being the property of the State, the local revenue officers are, subject to the confirmation and orders of the Governor General in Council, hereby authorized to give grants of the same to all persons rent-free, and liable to future assessment for the periods, and at the rates, specified underneath. No deduction will be made on account of sites of houses, water-courses, roads, and so forth.

Class.	DESCRIPTION OF JUNGLE LAND.	Duration of tenure free.	Rates of future assessment and duration thereof.			Total.
			4 annas per acre.	8 annas per acre.	12 annas per acre.	
		Years.	Years.	Years.	Years.	Years.
1	Forest jungle on hills	32	8	8	16	64
2	Forest on plains, including mangrove and other trees, jungle in swamp	24	6	6	12	48
3	Bush jungle, all kinds everywhere	16	4	4	8	32
4	Reed and long grass jungle	8	2	2	4	16
5	Short grass jungle and fallow land	4	1	1	2	8

On the expiration of the complete term of years of each grant, as above set forth, it shall be at the option of the grantee to demand a settlement of the land revenue of his grant in perpetuity at the rate of one rupee and a half for each acre, per annum, payable to Government, and such payment shall be the maximum rate payable for ever, as land revenue for such grant.

Class of three-fourths to determine class of whole.

2. In determining the class to which each grant may belong, and to avoid vexatious investigations, the character of three-fourths of the area, or as near that proportion as is possible, is to be considered as that of the whole.

The revised rates per acre payable under rule 1, will be declared applicable to all grants made under the rules for Pegu, passed by the Governor General in Council on the 6th March 1861, and under the rules for Arakan, passed on 5th September 1839, and amended on the 5th October 1841, on the grantees agreeing to pay the following cesses to form local funds, viz :—

For Roads, ...	1	per cent.
„ Education,.	1	„
„ District dak, ...	¼	„
„ Village chowkeedarree,...	2¾	„
Total	5	per cent.

on the annual amount of assessment for the land revenue, and in addition to such land revenue.

All grants made under these present rules will also be liable to cesses of the same amount for the same objects, and these cesses shall be payable at the same time that revenue is payable by the owner of the grant, and default will be treated in like manner as default in payment of land revenue.

Grants not to be more than 10,000 acres.

3. No grant for agricultural purposes is to be made under these rules of a greater extent than ten thousand (10,000) acres, or within a distance

of four miles from the nearest part of the boundary of the jurisdiction of the town Magistrates of Rangoon, Maulmain, and Akyab, and from the Court houses of the Deputy Commissioners of all other districts. Within the above limits it shall be competent for the Deputy Commissioner, with the sanction of the Commissioner to make grants under these rules, not exceeding (100) one hundred acres, and upon such conditions as, with reference to the nature and situation of the land applied for, may be specially fixed and determined, these rules being taken as a general guide for the terms.

Grant not to include fisheries, forests, &c.

4. Provided that no grant of land shall, unless under special sanction of the Commissioner, be made to include any portion of a fishery leased out by Government, or any right of way thereto, nor any teak forest, nor any land used for the manufacture of salt, nor any navigable streams, nor land below high-water mark on the sea shore, or on *tidal streams;* and provided also that the right of Government to resume portions of any grant required for public roads or other works, shall, in all cases, be, and is hereby reserved, and such resumption shall be made under Act VI of 1857, or other similar Act in force at the time such grant shall be made.

To be the hereditary property of the grantee.

5. All lands assigned under these rules shall be the hereditary property of the grantees on the fulfilment of the prescribed conditions, and on the execution of a bond binding themselves to abide by the prescribed conditions, they shall be entitled to a grant to the above effect.

Resumption of grants.

6. Should any grantee neglect to fulfil the terms specified in these rules, or any portion of them, the grant is to be resumed, but no resumption is to be made without due notice having been served on the grantee, requiring him to show cause why his estate should not be resumed;

after which proceedings are to be held, and the decision to be formally recorded in each case, the same being open to appeal in the usual manner.

Grantees to be entitled to fresh leases.

7. Grantees who have not purchased exemption from payment of land revenue, or who have not made engagements for a maximum assessment under rule 1, shall, on the expiration of the periods stated in the last column of the table annexed to rule 1, viz :—

1st class	64	years.
2nd „	48	„
3rd „	32	„
4th „	16	„
5th „	8	„

be entitled to a new lease of *not less* than 20 years' duration, and on the expiration thereof to further renewal for a similar period, and the same on the lapse of each successive lease, provided that they agree to fair terms of assessment.

Revision of settlement.

8. On the renewal of each lease granted after the expiration of the period noted in the last column of the table of rule 1, the local revenue officers may, with the sanction of the Governor General in Council, revise the settlement, and if the grantee has not accepted the maximum rate in perpetuity provided for in rule 1, may impose upon the area of each grant an assessment not exceeding the average rates of assessment per acre of lands of similar quality in the circles immediately adjoining the grant; and in like manner should a grantee be able to satisfy the local revenue authorities that his assessment is higher than the average tax of similar lands, in the adjoining circles, assessed on account of Government, he will be entitled, at the renewal of his lease, to an abatement of his assessment for the term of the said lease, so that he shall not be required to pay more than the fair average assessment of the lands in his vicinity.

9. A lease or grant having once been confirmed by competent authority, no alteration of rate of assessment is to be allowed until its expiration.

Rate of assessment not to be altered before expiration of lease.

10. On the revision of any settlement consequent on the renewal of a lease, the rate of assessment is, in the case of a difference arising between the grantee and the assessing officer, to be fixed by three arbitrators, one of whom is to be nominated by the grantee, one by the assessing officer, and the third by the two individuals appointed above, and their decision is not to be reversed, except by the order of the Governor General in Council.

Assessment to be fixed by arbitrators.

11. Grants of 200 acres and upwards shall not be placed under the authority of the Thoogyee or other manager of the circle in which they may be situated. When grants of the above extent become liable to assessment, each grantee shall be entitled to a separate settlement direct with the local revenue officer, whatever may be the amount of assessment.

Grants of 200 acres not under Thoogyee.

12. Grantees are hereby required to furnish each cultivator annually with a bill of demand, written in the Burmese language, specifying everything he is to pay, and he is entitled to receive a bond from the cultivator, promising to pay the amount. No suit regarding rent is to be entertained in Court except upon written agreement.

Written rent bills and bonds required.

13. All applicants for grants must satisfy the local revenue officers that they possess the means of redeeming the lands required by them, or capital as per annexed scale :—

Grantees to have capital.

1st class jungle,	rupees	15	per acre.	
2nd	"	"	12	"
3rd	"	"	9	"
4th	"	"	6	"
5th	"	"	3	"

and if dissatisfied with that officer's estimate of their resources, they may, within three months, appeal to the Commissioner whose decision is to be final.

Register of grants.

14. Every grant shall be registered in such manner as the Governor General in Council may direct, its situation, extent, and boundaries being duly recorded, and on every occasion of transfer of the proprietary right, subsequent to the expiration of the first lease, whether from the death of the former owner, from sale, or any other cause, the same is to be notified to the proper officer, and the cause of transfer, and the name of the new proprietor, registered. No proprietary right to the land or its rent shall be recognized by any Court in British Burma, unless the proprietor's name has been registered. When there are several shareholders in a grant, the names of all must be registered as the legal and responsible grantees thereof. They are jointly and severally responsible for the payment of revenue, and for all duties required from a grantee. The Deputy Commissioner in each district is *ex-officio* Registrar of grants made under these rules.

Transfer of grants.

15. In cases of transfer by sale or assignment of a grant, the same is to be acknowledged by both parties in person, or by accredited agents, before the registering officer at the time of registry, and the registry is to be attested by the principals or their agents, and also by at least two competent witnesses whose names and places of abode are to be inserted.

Grant to be surveyed.

16. A survey is to be made of each grant as soon as possible, and any person convicted of having fradulently extended his boundaries, shall be liable to be deprived of the land he has fraudulently appropriated, and to a fine not exceeding one hundred (100) rupees for every acre so ap-

propriated. If the said fine be not paid, the amount will be leviable by distress, and the sale of his property, real and personal. Should the proprietor be dissatisfied with the first survey, he may have the land re-surveyed, on depositing the probable expense.

Settlers not exempt from capitation tax.

17. The grantee is responsible for the collection of capitation tax, from all persons liable thereto, under the revenue rules of British Burma. He also in his bond, taken under rule 6, will bind himself to observe the said rules. A grant under these rules will entitle the grantee to all mineral products found therein, but the said minerals will, except coal, which will be free, be subject to a royalty not exceeding five per cent. on the value thereof, whether manufactured or otherwise, within the grant where they have been found. The value of such mineral products shall be fixed, from time to time, in each case, by the Deputy Commissioner, the order for the said value being open to appeal and revision in the usual manner.

Grantees who have failed to fulfil conditions not to receive other grants.

18. Any person who having obtained a grant of waste land in British Burma shall fail in the prescribed conditions, shall not be deemed eligible to receive another grant, unless he can satisfy the local authorities that the causes of his failure were entirely beyond his control.

Land measure.

19. The land measure to be used for grants throughout the province of British Burma is as follows :—

SQUARE FEET.		
226·875	=	1 pie.
2722·5	=	1 anna.
43560·0	=	1 acre.

FORM No. 1.

Form of application for the grant of Waste lands.

To

THE DEPUTY COMMISSIONER OF

The petition of

[Name, occupation and residence in full.]

RESPECTFULLY SHEWETH—

That your petitioner is desirous of obtaining, under the rules sanctioned by the Government of India, dated a grant of waste land situated in the village of circle of township of bounded on the north by on the east by on the south by on the west by and roughly estimated to contain about acres.

That your petitioner is prepared to satisfy you that he is possessed of sufficient means to redeem the said land, agreeably to para. 15 of the said rules.

That your petitioner therefore prays that you will be pleased to appoint a surveyor to make a plan of the said land, and on the said plan being delivered to you, that you will be pleased to declare to what class the said land belongs, under section 1 of the rules aforesaid. Whereupon your petitioner undertakes to execute the bond required by section 5 of the rules aforesaid.

dated

And your petitioner as in duty bound will ever pray.

FORM No. 2.

Form of order by the Deputy Commissioner on a petition for the grant of Waste land.

Revenue side.

In the Court of the Deputy Commissioner of

The

No. of 186

petitioner.

For a grant of waste land in

Read the petition of praying for a grant of waste land in village circle township

Ordered.

That surveyor proceed with the petitioner, and in presence of the Thoogyee of the circle make a plan of the land which may be pointed out to him by the said particularly noting the description of the land, or of each several portion of the land, if composed of different descriptions, and whether there are any occupants or any claimants to any portion of the land.

The plan to be filed in Court on or before the

Deputy Commissioner.

FORM No. 3.

Form of order of the Deputy Commissioner on the plan being filed.

Revenue side.

In the Court of the Deputy Commissioner of

The

No. of 186 .

Petitioner.

Whereas has filed the plan agreeably to the order of the Court in this case,

dated and it appearing from the said plan that the land for which the petitioner has made an application measures acres annas pie; that no one has any right of property therein, and that no objection exists to granting it away; that it belongs to the class, that is to say, (reed and long grass jungle, or as the case may be), and the said having satisfied me that he possesses sufficient means to redeem the said land agreeably to section 15 of the rules for granting waste lands, dated 186 .

It is ordered

That on the said executing the bond required by section 5 of the said rules, the aforesaid land measuring acres annas pie, and situated and bounded as described in the plan annexed to the proceedings, be granted to the said at the following rent:—

From 186 -6 to 18 ,	free.			
,,	rupees.	a.	p	
,,	rupees.	a.	p	
,,	rupees.	a.	p	

and subject to the other terms and conditions of the rules for the granting of waste land in the province of British Burma, sanctioned by the Government of India under date the 186 .

Deputy Commissioner.

Form No. 4.

Form of bond under rule 5.

Whereas the Deputy Commissioner of has by an order passed on the in revenue case No. of 186 . declared himself willing to confer on me a grant of a parcel of waste land, measuring acres annas pie, situated in the village of circle of township of and bounded on the north by on the east by on the south by on the west by on condition of my executing a bond binding myself to abide by the conditions prescribed in certain rules for the granting of waste land in the province of British Burma, sanctioned by the Government of India, under date the 186 .

Now I, do, in consideration of the said promise, hereby agree and bind myself, my heirs, executors, administrators, and assigns, to abide by all the conditions prescribed by the said rules, as applicable to the parcel of land above described, so long as the said land shall continue in the possession of myself or of my said heirs, executors, administrators, or assigns, failing wherein, the Deputy Commissioner or other officer duly empowered shall be entitled to cancel the said grant and to resume the said lands on behalf of Government. And I do further agree to observe and abide by the general revenue rules of the province of British Burma as now existing.

Witness my hand this
day of

In the presence of

Form No. 5.

Form of order by the Deputy Commissioner on the bond required by rule 5 being filed duly executed.

Revenue side.

In the Court of the Deputy Commissioner of

The

No. of 186 .

petitioner.

Whereas the petitioner has duly executed the bond required of him by the order of the Court, passed in this case on the

It is ordered

That a grant of the land be delivered to the said agreeably to the said order, and that he be registered as the proprietor thereof.

Deputy Commissioner.

Form No. 6.

Form of grant of Waste lands.

Whereas has applied for a grant of a parcel of waste land, measuring acres annas pie, situated in the village of circle of township of bounded on the north by on the east by on the south by on the west by

And whereas the said has executed a bond agreeing, in consideration of obtaining the said grant, to abide by the conditions prescribed by the rules for the granting of waste land in the province of British Burma, sanctioned by the Government of India, under date

Now I, Deputy Commissioner of by virtue of the power and authority vested in me by the said rules, subject to the confirmation and orders of the Governor General

of India in Council, do hereby grant unto the said his heirs, executors, administrators, and assigns, the parcel of land heretofore described, as a grant of class No. according to rule 1 of the said rules, conditional on the payment of rent and cesses for local purposes by the said at the rates and in the manner prescribed in the rules aforesaid, and on his abiding by all other conditions of the rules aforesaid.

And in the event of the said his heirs, executors, administrators, or assigns, failing to pay rent and cesses as aforesaid, or to abide by any other of the conditions aforesaid, then these presents to be null and void and of no other effect, and the parcel of land aforesaid to revert to and become the entire and absolute property of Government, free and quit of any claim whatsover in, to, or on account of, the said land on the part of the said his heirs, executors, administrators, or assigns.

Given under my hand and seal this
day of

Deputy Commissioner.

FORM No. 7.

Form of report of the officer or clerk who has charge of the register of Waste lands under the Deputy Commissioner.

Certified that, agreeably to the order of the Deputy Commissioner in revenue case No. of 186 , dated has been this day registered by me as the grantee of a parcel of waste land, measuring acres annas pie, situated in the village of circle of township of

No. of grant, page in the register.

dated

In charge of Register of Waste lands.

Form No. 8.

Form of final order by the Deputy Commissioner.

Revenue side.

In the Court of the Deputy Commissioner of
The
No. of 186 .
petitioner.

Read report by that the grant to
has been duly registered.

The case to be struck off the file as disposed of.

Deputy Commissioner.

Form No. 9.

Form of notice prior to resumption of a grant under rule 6.

Revenue side.

In the Court of the Deputy Commissioner of
The
No. of 186 .

In the matter of the resumption of a grant of waste land in of which is the registered proprietor. To registered proprietor of a parcel of land measuring acres annas pie, situated in

Whereas there is good reason to believe that you have failed to abide by section of the rules for the grant of waste lands in the province of British Burma, sanctioned by the Government of India under date

Notice is hereby given to you, agreeably to section of the said rules, that you are required to appear in this Court on the to show cause why your estate should not be resumed.

Given under my hand and the seal of the Court this day of

Deputy Commissioner.

FORM No. 10.

FORM OF BOND BY A CULTIVATOR FOR PAYMENT OF RENT UNDER RULE 12.

I the undersigned do hereby agree and bind myself to pay to registered proprietor of the land rented by me as herein below described, rent for the said land for the year as under, on or before the

No.	Name of cultivator.	Area of land leased to cultivator.	Rate per acre agreed to be paid as rent.	Total amount of rent.	Situation and boundaries of land leased.	Remarks.

Signed by on the in the name of Cultivator.

FORM No. 11.

FORM OF BILL OF DEMAND UNDER RULE 12.

To

I hereby demand from you payment on or before the of rent for the year 18 due by you for the land rented by you of me as herein below specified.

No.	Name of tenant.	Area of land leased by tenant.	Rate per acre agreed to be paid as rent.	Total amount of rent.	Situation and boundaries of land rented.	Remarks.

Dated *Registered Proprietor of the Estate.*

FORM No. 12.

FORM OF REGISTER OF GRANTS OF WASTE LANDS AND SUBSEQUENT CHANGES OF OWNERSHIP THEREIN.—VIDE RULES 14 AND 15.

ORIGINAL GRANT.

No. of Grant.	Circle.	Village.	Area of grant.	Number of revenue case containing the plan of the estate and order for the grant.	Boundary of grant.	Date of grant.	Name of grantee.	Signature of Deputy Commissioner or other Revenue officer making the grant.

CHANGES OF OWNERSHIP IN THE ABOVE GRANT.

Date of transfer.	By whom transferred.	To whom transferred.	Nature of transfer.	Signature of party transferring the estate.	Attestation by Deputy Commissioner or officer in charge of the register.
			Sale, gift or inheritance. NOTE.—Mortgage or lease is not a transfer of ownership.		

NOTE.—A separate register to be kept for each *township*, and a distinct portion of each register to be allotted to each circle.

A separate page to be allotted to *each grant* as in this form, the upper portion describing the original grant and identifying the estate, the lower portion showing the subsequent changes of ownership.

If a grant is divided (which can only be done with the special leave of the Deputy Commissioner) the division should be noted in the page belonging to the original grant. The divided portions should each be entered fresh on separate pages, the numbers of which should be noted on the page belonging to the original grant, for facility of reference.

No. 91.

NOTIFICATION.

FORT WILLIAM.—FOREIGN DEPARTMENT.

REVENUE.

The 22nd February 1865.

Under the provisions of section 7 of Act XXIII of 1863, His Excellency in Council is pleased to constitute the following Courts in British Burma, for the investigation and trial of claims under the above Act :—

PEGU DIVISION.

RANGOON.

Three or more of the following gentlemen :—

Deputy Commissioner.
Magistrate.
Two Honorary Magistrates.
Superintendent of Police.
Civil Surgeon.
A Trader.

BASSEIN.

Three or more of the following gentlemen :—

Deputy Commissioner.
Assistant Commissioner.
Superintendent of Police.
Medical officer of Bassein.
An Elder.

PROME.

Three or more of the following gentlemen :—

Deputy Commissioner.
Assistant Commissioner.
Superintendent of Police.
Medical officer of Prome.
An Elder.

MYANOUNG.

Three or more of the following gentlemen :—

Deputy Commissioner.
Assistant Superintendent of Police.
Extra Assistant Commissioner.
Medical officer of Myanoung.
An Elder.

TOUNG-OO.

Three or more of the following gentlemen :—

Deputy Commissioner.
Assistant Commissioner.
Assistant Superintendent of Police.
Extra Assistant Commissioner.
An Elder.

TENASSERIM DIVISION.

AMHERST.

Three or more of the following gentlemen :—

Deputy Commissioner.
Magistrate of Maulmain.
Two Honorary Magistrates.
Superintendent of Police.
Civil Surgeon.
A Trader.

MARTABAN.

Three or more of the following gentlemen :—

Deputy Commissioner.
Assistant Commissioner.
Superintendent of Police.
Medical officer of Shwe-gyeen.
An Elder.

TAVOY.

Three or more of the following gentlemen :—

Deputy Commissioner.
Superintendent of Police.
Medical officer of Tavoy.
Extra Assistant Commissioner.
An Elder.

MERGUI.

Three or more of the following gentlemen :—

Deputy Commissioner.
Assistant Superintendent of Police.
Extra Assistant Commissioner.
Medical officer of Mergui.
An Elder.

ARAKAN DIVISION.

AKYAB.

Three or more of the following gentlemen :—

Deputy Commissioner.
Magistrate.
Two Honorary Magistrates.
Civil Surgeon of Akyab.
Superintendent of Police.
A Trader.

RAMREE.

Three or more of the following gentlemen :—

Deputy Commissioner.
Assistant Superintendent of Police.
Extra Assistant Commissioner.
Medical officer of Kyouk Phyoo.
An Elder.

SANDOWAY.

Three or more of the following gentlemen :—

Deputy Commissioner.
Assistant Superintendent of Police.
Extra Assistant Commissioner.
Medical officer of Sandoway.
An Elder.

RULES

FOR THE SETTLEMENT OF LAND REVENUE IN THE DISTRICT OF RANGOON.

Dated 7th March 1865.

1. A settlement of all land revenue to be made for five or ten years.

2. Present rate of assessment to be retained.

3. The settlement will not extend to toungyâ, that will be paid for as at present.

4. The present rate in Rangoon extends to quengs, new land, that is all land lying waste taken during the five or ten years by leases, will not be measured or assessed. At the end of the five or ten years a new measurement to be made; whether the existing rates will then be continued, will be a matter of consideration.

5. Should a land-owner during the settlement abandon his land, for which settlement has been made, and go to take other land, he should still be required to pay on the land he has abandoned. But he shall not be allowed to take up new land under the settlement without the limits of the circle in which his leased land is situated.

6. A list of the cultivators or land-owners of each village, and what each man has to pay under the settlement to be made out. The area of each description of land to be entered therein. The form will be the same as the present assessment roll.

7. The date on which the settlement is to take effect in each village to be distinctly stated in the list of land-owners.

8. Each land-owner will be responsible for his own revenue only, and in case of death, his heir; should inevitable misfortune prevent a man cultivating the land he held at the settlement, pay-

ment will be remitted. Careful record should be made of such cases. The owner of the land is the person with whom settlement should be made, whether he cultivate it himself or not.

9. The existing rate per acre directed under the settlement will not be held to refer to land which has been granted under the rules passed by Government in March 1861, and to be found at page 213.

10. The area of each man's land to be taken as that entered in the assessment roll of 1863-64, or 1864-65, as may be found applicable, unless he objects thereto, a new measurement in such cases to be made at Government expense. Care to be taken that land-owners do not suffer any curtailment of their property under this rule.

11. In cases where all the land-owners and cultivators of a village tract agree to take a joint lease of their tract, it shall be granted to them, under the rules laid down at page 235. In leases of this description, Captain McMahon's form of proceeding and record to be adhered to.

RULES

FOR THE SETTLEMENT OF LAND REVENUE IN THE DISTRICT OF TOUNG-OO.

Dated 8th October 1863.

1. A settlement of all land revenue to be made for five years. During the period of settlement no land of any kind to be measured for revenue.

2. The rates per acre payable to Government not to exceed those now fixed, whether for paddy land or otherwise, but a diminution may be made when necessary. The rates for gardens, orchards, and miscellaneous cultivation will be the highest rate for paddy land existing in the circle.

3. No land-owner who did not cultivate his land in 1224, A. D. 1863, or in any previous year since Pegu became British territory, will be called upon to declare whether he wishes to enter into the five years' settlement or not, he will have the option of cultivating his land free of tax for five years.

4. The settlement will not extend to toungya. That will be paid for as at present.

5. The present rates in the district of Toung-oo extend to quengs. New land, that is all land lying waste, taken during the five years' settlement, will not be measured or assessed. At the close of the five years a new measurement to be made. Whether the existing rates will then be continued will be a matter of consideration.

6. Should a man during the settlement abandon his land for which settlement has been made and go to take other land, he should still be required to pay on the land. But, as the settlement is only to be made with the full consent of each individual owner, any person may throw up his settlement or lease before the expiration of the term of five years.

7. A list of the cultivators of each village and what each man has to pay under the settlement to be made out; the area of each description of land to be entered therein. The form will be the same as the present assessment roll.

8. Any bonâ fide new cultivators coming in during the settlement to be allowed to cultivate new land and no question to be asked. This refers to any cultivator from any foreign or British territories, and to any person belonging to the district of Toung-oo or otherwise.

9. The date on which the settlement will take effect in each village to be distinctly stated.

10. Each cultivator will be responsible for his own revenue only, and in case of death his heirs.

Should inevitable misfortune prevent a man from cultivating the land he held at the settlement, payment will be remitted. Careful record should be made of such cases. The owner of land is the person with whom the settlement should be made, whether he cultivates it himself or not.

11. These rules will not be held to refer to land which has been granted under the rules passed by Government in March 1861, and to be found at page 213.

12. The area of each man's land to be taken as that entered in the assessment roll for 1862-63 unless he objects thereto. A new measurement in such case is to be made at Government expense.

13. In cases where all the cultivators holding land contiguous to one another are willing to take up a lease, it would be a good plan to let them elect one person to be answerable for the revenue of the whole. All the lands being considered one estate (see page 235.)

14. No land-owner is required to enter into the settlement except with his own free will and consent.

NOTE.—The above rules will henceforth be followed in the district of Prome, memo. 097 dated 29th September 1865.

GENERAL RULES

FOR GRANTING LEASES OF LAND FOR A TERM OF YEARS IN THE PROVINCE OF BRITISH BURMA.

In circles or village tracts where the queng assessment has been completed, leases for ten years, or for a shorter period, if desired by the cultivators, may be granted on the following terms :—

1st.—The cultivators of the circle or tract to be leased shall agree to pay to Government annu-

ally for a fixed period of not more than ten and not less than two years, an annual rent which shall be fixed as the amount payable by the cultivators on the total area of their existing cultivation at the revised rates per acre imposed by the settlement officer in the queng assessment.

2nd.—During the period of the lease, all the waste lands within the settled tract which may be brought under cultivation by those who accept leases, shall be tax free.

3rd.—The annual rent agreed upon will have to be paid whether crops fail or cattle die, but if there be any very extensive disaster of the kind, due consideration will be shewn.

4th.—The principal inhabitants of the leased tract should form a committee to see that the cultivators pay their shares, and on their application defaulters will be treated as laid down in the existing revenue rules; but all the cultivators who have agreed to accept a lease, will be jointly and severally responsible for the amount of land rent due by any individual owner or cultivator of the leased tract, that is within the village tract they inhabit.

5th.—Rights of property will remain the same as before.

6th.—All other taxes, besides the land tax, will remain as before.

7th.—The draft of an agreement which should be signed by the cultivators of a leased tract is annexed. This may be modified, however, according to circumstances.

8th.—On the expiry of the lease a new survey will be made, and if necessary new rates of assessment imposed.

9th.—All leases made should be entered by the settlement officer in a register to be kept for the purpose, the form of which is annexed.

DRAFT OF AGREEMENT

TO BE SIGNED BY THE CULTIVATORS OF A LEASED TRACT.

We the undersigned owners and cultivators of land in the village tract of circle of township of district of ; in consideration of our receiving a lease of all the cultivated lands comprised within the limits of the village tract aforesaid, for a term of years, commencing from the year , do hereby agree and jointly and severally bind ourselves, to pay annually, to the Deputy Commissioner of the district of a sum equal to the amount of the total land rent on our existing cultivation, that is to say on account of acres of paddy land at rupees per acre, rupees ; on account of acres of garden land at rupees per acre, rupees ; and on account of acres of miscellaneous cultivation at rupees per acre, rupees The total annual amount thereof being rupees ; which sum is payable annually on or before the 1st of April of each year, *i.e.* the rent due for the year 1860-61 is payable on or before the 1st April 1861.

FORM OF REGISTER OF VILLAGE TRACTS, &c., OF WHICH A TEN YEARS LEASE HAS BEEN SANCTIONED BY THE COMMISSIONER.

1	2	3	4	5			6	7	8	9	10	11	12	13	14
Name of district.	Name of township.	Name of circle.	Name of village tract.	Area of cultivated land in acres.			Total cultivated area. Acres.	Total area of tract. Acres.	Estimated area of cultivated land. Acres.	Amount of revenue to be paid annually for 10 years. Rupees.	Date from which lease is to commence.	Names of managers or agents answerable for revenue of each year.	Date from which revenue is to be paid.	Boundaries of tract leased.	REMARKS.
				Paddy.	Garden.	Miscellaneous.									

DIRECTIONS

FOR THE ASSESSMENT OF PADDY LAND, IN THE PROVINCE OF BRITISH BURMA.

Village tracts how divided.

1. All village tracts in Pegu are divided into portions of country called quengs or *pyeens*, on which paddy cultivation is or may be carried on. It is assumed that the quengs may to outward appearance be classed as follows :—

1st.—Those entirely cultivated.

2nd.—Those partially cultivated.

3rd.—Those where the land has entirely fallen out of cultivation, or land covered with primeval jungle, capable of being converted into queng land.

Procedure regarding assessment.

2. In proceeding to assess the paddy lands of those quengs entirely cultivated, it is necessary to ascertain as follows :—

1st.—The present rate of tax per acre.

2nd.—The average yield of paddy per acre.

3rd.—The average price of paddy on the spot.

4th.—The distance from and means of facility of transport to the nearest great and constant market.

The first and third heads of inquiry need not here be enlarged upon.

Yield of crop per acre how ascertained.

3. In order to ascertain the yield of paddy, it will be necessary to reap and beat out the crop on a given area of ground in each queng. If the queng is a large one, or say of two to three hundred acres, it might be advisable to test the yield of crop in five or six different places or more, by measuring off, say one-eighth of an acre in each

place. The result of each experiment should be recorded on the spot in a register. It is very necessary that the officer conducting the inquiry, should personally superintend this work, and not trust it to subordinates, in order to avoid any suspicion of underhand dealing having occurred.

Anomalies accompanying the results of such procedure.

4. It is to be assumed that the ordinary amount of the Government share of the paddy crop is one-fifth or twenty per cent. of the gross produce. In ascertaining the average yield of a queng per acre, and converting the Government share of that into a money rate per acre to be paid by the cultivator, it will frequently be found impossible to reconcile the results obtained by mere measurement and calculation, with what is assumed to be a fair remuneration to the cultivator, and with the rate already paid to Government; yet the cultivator may be willing to accept the land on the same terms as before, although according to the measurement and calculation he would thereby gain little or no profit.

5. In like manner it will sometimes be found that what appears, by measurement of crop and arithmetical calculation, an unduly low rate as the Government share of the produce, the cultivator will state is too high for him to pay. These anomalies arise partly from the yield of land varying in different seasons, and partly from the experiments being necessarily conducted on only a minute portion of the whole area of a queng.

Procedure by what regulated.

6. In most cases it will be found that after every calculation of average produce and measurement of area has been made, and the price of grain and means of transport duly weighed, it is proper, in order to fix a fair moderate rate per acre upon the queng, while taking into consideration the results obtained from actual experiment, yet to exercise a sound discretion in fixing the

rate upon general considerations, such as the amount heretofore paid by the people; their own statements of their profits and what they are willing to pay; and likewise to have regard to the general evidence of prosperity or the reverse, apparent in their dwellings and appearance. Where cultivators make statements of the yield of their ground, the result may be shown in an additional column of form A.

7. As a general rule the Burmese, Talcing and Karen cultivators are truthful and frank as to their crops and profits. In effecting the land assessment, pains should be taken to shew them that a fair portion of the produce is all that is required by Government; that the cultivators' or owners' interests and the Government's are one and the same; that a settlement of the land revenue being once effected, the rates will remain unchanged for several years; and that in taking new land the cultivators will, under the proposed arrangement, always know the rate they will have to pay for every acre they may occupy.

Range of rates per acre.

8. As a general guide to the limits within which the rates per acre may range, I would remark that no queng should at present have a higher rate put on it than rupees 2-4 per acre, except lands with peculiar advantages, which can be assessed at 2-8. This will be an advance of 12½ per cent. on the highest rate now existing; and that rate should not extend beyond the districts of Rangoon and Bassein. The lowest rate in remote situations may be four annas an acre. The rates in the various quengs, those in the remote parts of the country having the minimum rates, and those in the districts of Henzada and Tharawaddy having medium rates, may range between the sums above mentioned; but, for convenience of calculation, fractions of two annas, or one-eighth of a rupee, should gener-

ally be avoided, and the rates should generally run from 4 annas to 6 annas, 6 annas to 8 annas, and so on. As the lands in Pegu were purposely fixed originally at a clearly low rate, it is probable that most of the cultivated quengs, at least in the districts of Rangoon and Bassein, will bear an increase of rate, but it is by no means intended to make this a positive rule.

Average price of grain how to be ascertained.

9. In noting the average price of grain (unhusked rice) upon the spot, in the circle or village where the settlement is being made, care should be taken to assume a clearly moderate average price, independent of any rise consequent on sudden increased demand for export or otherwise.

In quengs partially cultivated.

10. In the case of a queng only partially cultivated, where it has remained so in consequence of the rate already imposed being too high, the rate should be lowered so as to admit of the remaining lands therein being cultivated with profit.

In quengs altogether uncultivated.

11. Where quengs or plains have never been cultivated at all, and are still covered with grass or tree jungle, means should be taken to ascertain the nature of the soil, and a rate approximating to that of the nearest adjoining cultivated quengs (any peculiar circumstances of the position of the ground being also considered), should be imposed. The people will then know what rates they will have to pay on such lands after the period of exemption which they receive under existing rules shall have expired. It will generally be found that some of the old cultivators of the circle will be able to give a sound opinion on the quality of the soil of quengs, or of forest lands hitherto unbroken.

Duties of land measurer.

12. While the measurement of crops is going on, the land measurer attached to the settlement officer should be employed in making a rough

plan of the circle in which the operations are being carried on. In this will appear the several quengs with their boundaries. Each queng will have a number marked on the map, which num- will also be attached to the same queng in the register (form B.) The land measurer should in each case make a rough survey of each queng, showing the total cultivation and the total waste land.

Standard of cubic measurement of grain.

13. It is to be remembered that all measurements of the quantity of paddy yielded by the land measured, should be made in the Government standard basket, containing 2218·19 cubic inches. In estimating the local market price of grain it will be remembered that it is calculated by the villagers in the local basket, which will be somewhat larger than the standard one.

Sketch maps report of townships and circles by what to be accompanied.

14. It is to be understood that these inquiries should be carried on and completed first in one township, so that along with the record there may be a sketch map of the township on a scale of half a mile to an inch, shewing the several circles therein, and a sketch map of each circle on a scale of six inches to the mile, showing the cultivated and jungle area in each queng.* In the construction of these maps it is only required to show the approximate area and relative positions of the several quengs, so that close accuracy is not expected. The names of places (*i. e.* villages) on these maps will be but few, and such as there are should be entered in the Burmese character. Specimens of what is here intended, marked D. and E., are added.†

Land and grain measurements how to be disposed.

15. The officer may find it expedient in order to conclude a number of measurements of crops, before grain is removed from the land, to move on to other quengs while the inquiries contem-

* The Revenue settlement officer has discretionary power of adopting the most suitable scale.

† Not inserted in this Manual.

plated to be made regarding the land are still uncompleted. This is advisable in order to prevent the cultivators being inconvenienced, and suffering loss from their crops being kept on the ground. Having disposed of the land and grain measurements, the settlement officer can then return and commence making inquiries relative to property in land.

Tabular statements how to be filled up.

16.* While the surveyor is going on with his work, and when the measurements of grain have been completed, the settlement officers should make inquiries regarding landed property. The result should first be embodied in the numerical return marked C, with a further detailed statement of fields rented, sold and mortgaged. The latter information will be recorded in the statements C 1, C 2, and C 3. The information contained in such tabular statements will of course be derived by the settlement officer personally from the owners, tenants and mortgagers of land. They will generally be found quite willing to communicate their whole affairs.

Appendices to tabular statements.

17. When any old land-holding families are met with, detailed statements regarding the time they have held estates should be written down, as well as any interesting circumstances relative to their tenure of the land, which they may relate. These narratives may be appended to the tabular statements. If there are any mortgage bonds or other deeds and papers, these might be copied if the possessors have no objection, which generally speaking they have not. It should always be remembered that, where there are family disputes regarding land, there may in some cases be an unwillingness to enter upon the subject of the property in dispute; or there may be a disposition to misrepresent the circumstances relative to the land. It will however generally be found, that

* Rules 16, 17, and 19 are for the present in abeyance.

where the inquiry is conducted in the tone of a friendly solicitude for the welfare of the people, and where the whole village community are invited to be present as at a conversational meeting, all shyness and reserve in communicating on the subjects herein adverted to will be overcome, and the presence of the whole community will generally counteract any disposition to wilful misrepresentation.

Assessment rules only refer to what.

18. The rules for assessment refer only to the arrangement regarding paddy lands, and are not to be applied or extended to other descriptions of land. The inquiries regarding property in land will however extend to gardens, orchards, and other descriptions of land, but the assessment of these will remain as before, namely, the highest rate of paddy land in the circle or village tract wherein they are situated being put upon them.

19. Separate returns will be made in the forms C, C 1, C 2, and C 3 for paddy land, and for garden and orchard land.

20. It should always be borne in mind that it is desirable to record the whole details of the method employed in each queng, to ascertain the yield of crop, and also the reasons for adopting the average local price of paddy which may be fixed upon. The means of communication from each queng to water carriage, the distance, &c., should also be carefully recorded.

(A)

REGISTER OF THE RESULT OF EXPERIMENTS RELATIVE TO THE QUANTITY OF PADDY YIELDED IN A DEFINITE AREA OF LAND IN THE VILLAGE TRACT OF CIRCLE OF TOWNSHIP OF DISTRICT OF DATED

1	2	3	4		5		6	7			8	9			10	11	12	13	14	15	16
Number.	Talien name of queng.	Burmese name of queng.	Area of land measured.		Quantity of paddy in area of column 4.		Equivalent number of baskets per acre.	Present rate of tax per acre.			Estimated average gross produce of whole queng per acre.	Value of gross produce per acre at 25 Rs. per 100 baskets of paddy.			Per-centage of present tax on value of gross produce.	Proposed rate of tax per acre on the queng.	Per-centage of proposed rate on value of gross produce of the queng.	Name of cultivator of area of land in column 4.	Quantity of whole produce as stated by cultivator.	Area of land yield in produce of column 14.	REMARKS.
			Acres.	Parts.	Baskets	Pyee.		Rupees.	Annas.	Pie.	Baskets	Rupees.	Annas.	Pie.					Baskets.	Acres.	
1	We Ka Mook, ...	Ashe queng, ...	0	4	8	15	35	0	2	0	0	0	0	0				Nga Oo, ...			These different spots
2	Do. ...	Do. ...	0	4	15	8	62	0	2	0	0	48	14	6	4			Do.			were ¼ mile apart.
3	We Kulle, ...	Kullado queng, ...	0	4	14	4	57	0	2	8	0	0	14	3	0			Nga P'we, ...			About ½ a mile apart.
4	Do. ...	Do. ...	0	4	13	12	55	0	2	8	0	0	13	12	0			Nga Teng,			
5	Do. ...	Do. ...	0	4	15	7	61	12	2	0	0	57	12	6	0			Nga Po or P'ho,			200 yds. distant from
6	Wetago Kance, ...	Tago Tana queng,	0	4	10	0	40	0	2	0	0	40	10	0	0			Shwe Tha, ...			[Nga Pwe's.
7	We Moreet, ...	Mooreet queng, ...	0	4	9	0	36	0	2	8	0	0	9	0	0			Nga Quay, ...			
8	Do. ...	Do. ...	0	4	8	7	33	12	2	8	0	38	8	7	0			Nee Ee, ...			
9	Do. ...	Do. ...	0	4	11	14	45	8	2	0	0		11	6	0			Do. ...			
10	We Kalouk Kaproo, ...	Kalouk Kaproo queng, ...	0	4	11	0	44	0	2	0	0	44	11	0	0			Nga Noot, ...			

(B)

REGISTER OF QUENGS SITUATED WITHIN THE CIRCLE OF VILLAGE TRACT OF TOWNSHIP OF IN THE DISTRICT OF

Number.	Name of queng.	Area of cultivated land.	Approximate area of grass, tree and other jungle capable of being made paddy land.	Total area.	Rate of land tax per acre.	REMARKS.
		Acres.	Acres.	Acres.	Rupees.	

NOTE.—This register will be recorded in Burmese and English, and a copy will always be attached to the map of each circle. The number to each queng in this register corresponds to the number for such queng given on the map.

(C 1.)

SUPPLEMENT TO RETURN C, SHOWING THE TERMS ON WHICH THE FIELDS ENTERED IN COLUMN 3 OF RETURN C, CIRCLE OF WERE RENTED.

Name of village tract and queng.	Name of owner of field or farm rented.	Area of field or farm rented.	Amount of annual rent or nature of agreement.	REMARKS.

NOTE.—It will not be necessary to measure the area of the rented, inherited, sold or mortgaged farms. If the approximate area is ascertained, that will be sufficient.

(C)

GENERAL NUMERICAL RETURN SHOWING THE TENURE OF PADDY LAND AND AVERAGE SIZE OF FARMS.

IN THE CIRCLE OF TOWNSHIP OF DATE

1	2	3	4	5	6	7	8	9	10	11	12
Name of village tract and quengi.	Total number of paddy cultivators or of separate fields or farms.	No. of fields or farms rented.	No. of fields or farms received from the Thoogyee or other Government officer.	No. of fields or farms inherited from ancestors, and cultivated by owner or with permission of owner by his son or son-in-law, or other relation.	No. of fields or farms paying tax though uncultivated.	No. of fields or farms obtained by purchase or mortgage.	No. of fields or farms not included in any of the five preceding columns.	Average No. of acres belonging to a family purely agricultural.	Average No. of a family subsisting wholly from such land.	Minimum quantity of land in occupation of a family purely agricultural, family of average number.	REMARKS.
											If any land formerly deemed to be hereditary property was taken possession of by the Burmese Government for support of war boats or other purposes, let it be stated.

NOTE.—A farm is a plot of undivided land in one parcel held and cultivated by the owner or tenant. A field is any sub-division of such farm.

(C 2.)

SUPPLEMENT TO RETURN C, SHOWING THE NAMES OF PRESENT POSSESSORS OF FIELDS OR FARMS INHERITED FROM ANCESTORS OR HELD AS STATED IN COLUMN 5, CIRCLE OF

Name of village tract and queng.	Name of possessor of land.	Area of land.	If inherited for how many generations or term of years in same family.	If held and cultivated for cultivators' father or father-in-law state so.	REMARKS.

(C 3.)

SUPPLEMENT TO RETURN C, SHOWING THE TERMS ON WHICH THE FIELDS OR FARMS ENTERED IN COLUMN 7 OF THE RETURN C, WERE ACTUALLY OBTAINED.

Name of village tract and queng.	Name of original owner of land.	Name of purchaser or mortgagee.	Area of land.	Terms of purchase or mortgage.	REMARKS.

RULES

FOR GRANTING LEASES OF LAND FOR A TERM OF YEARS TO INDIVIDUAL LAND HOLDERS.

1. The cultivator of the farm to be leased shall agree to pay annually to Government for a fixed period of not more than ten and not less than three years, an annual rent which will be fixed at the amount payable by the farmer on the area of his existing cultivation, and at the revised rates imposed by the revenue settlement officer in the queng assessment, and shall sign a bond to that effect.

2. Waste land near a farm, may, at the discretion of the revenue settlement officer, be granted either tax free or subject to a fair assessment, according to circumstances.

3. Cultivators who accept leases of their farms for ten and not less than four years shall be allowed the option of giving up their lands, provided application be made by them before the month of Ta-soung-mong, with the proviso however, in cases where waste land is included in the limits of the farms, that should any cultivator abandon the land so allotted to him under circumstances which shall prove that he used the land only for the profit to be gained from it during such occupancy, and not for the purpose of ulterior cultivation, he shall be liable at the discretion of the Deputy Commissioner (under section 13 of the revenue rules) to assessment in arrears for the whole period of exemption, at the rate imposed on the queng wherein such land is situated.

4. Cultivators who take leases for a less period than four years shall not have the option of giving back their land.

5. Persons desirous of taking leases must prove to the satisfaction of the revenue settlement

officer that they are men of sufficient substance or good character.

6. Rights of property will remain as before.

7. All these taxes besides the land tax will remain as before.

RULES

FOR THE COLLECTION OF A LAND ASSESSMENT IN LIEU OF CAPITATION TAX IN CERTAIN TOWNS IN THE DIVISION OF PEGU.

In what towns and within what limits the assessment to be levied.

1. In lieu of the capitation tax levied on the rural population, an annual land assessment shall be levied on the following towns, viz:—

BASSEIN,
MYANOUNG,
PROME,
THAYET-MYO,
TOUNG-OO,

The boundaries within which the assessment shall be collected in each of these towns are defined in the schedule hereunto annexed.

The local Government may hereafter by public notification alter those boundaries and extend these rules to other towns if it shall see fit to do so.

Rates of assessment.

2. The annual rates of assessment shall be as follows: $1\frac{1}{2}$ pie per square foot on the area covered by buildings, and 3 rupees per acre on all occupied land not so covered. Provided that any small plot of land not exceeding 2,500 square feet in the occupation of one person, and not built upon shall be exempt from assessment. These rates are subject to any alterations which the local Government may be pleased hereafter to order therein.

Assessment rolls when to be prepared.

3. In the month of August in each year the Thoogyee shall prepare in duplicate an assessment roll for the quarter or quarters of the town to which he shall be appointed.

4. On the completion of these rolls the Thoogyee shall deliver them to the Deputy Commissioner of the district, who shall examine them and, if found correct, sign them as passed; one copy shall then be returned to the Thoogyee and one retained in the office of the Deputy Commissioner.

Assessment rolls by whom to be examined.

5. Tax bills—in English for Europeans, in Burmese for Asiatics—shall then be made out from the roll in the Deputy Commissioner's office in the same manner as bills for land and capitation tax are prepared.

Tax bills how to be prepared.

6. After these bills have been duly prepared, signed and sealed, they shall be delivered to the Thoogyee who shall forthwith proceed to collect the assessment.

Tax bills to whom to be delivered for presentation.

7. On receiving payment of the demand the Thoogyee shall endorse a receipt on the back of the tax bill and deliver it to the party making the payment. The Thoogyee shall pay the amount of his collections into the treasury daily.

Assessment how to be collected.

8. In case of non-payment within ten days after a demand being made, and a tax bill offered by the Thoogyee, the amount may be levied by distress and sale of the movable property, to whomsoever belonging, found in the dwelling house or on the land on account of which the assessment is demanded, or the owner of the house or land may be sued for the amount.

Procedure in case of non-payment on demand.

9. If the tax bill cannot be delivered to the owner or occupier, or if there be a tenant or occupier, the tax bill may be appended to some conspicuous part of the house or on the land, and shall constitute a sufficient demand under the preceding section.

Procedure when no owner or occupier can be found.

10. The following shall be exempted from assessment:—

Exemptions.

1st.—Land covered by buildings devoted to religious or charitable purposes, so long as they shall continue to be bonâ fide so used.

2nd.—Land covered by schools, whether European, Burmese or otherwise, provided that such buildings are not used as family dwellings.

3rd.—Land covered by Government buildings, or enclosed for Government purposes.*

Commission to officer employed in collecting the assessment.

11. The Thoogyee shall be entitled to a commission of 10 per cent. on all collections up to 6000 rupees made by him within one year, and to a commission of 5 per cent. on all collections above that sum. Out of this commission the Thoogyee shall be required to pay all writers, measurers or assistants whom he may engage to aid him in the preparation of his accounts or the collection of the assessment.

Rules when inapplicable.

12. Nothing in these rules shall be held to affect the town of Rangoon in which the assessment in lieu of capitation tax will continue to be collected under the rules heretofore in force.

Interpretation clause.

13. The word "Thoogyee" in the above sections shall be held to mean the officer, however designated, who is charged with the immediate collection of the assessment.

SCHEDULE

DECLARING THE BOUNDARIES WITHIN WHICH LAND ASSESSMENT, IN LIEU OF CAPITATION TAX, IS LEVIABLE IN EACH TOWN.

BOUNDARIES.

BASSEIN.

Boundary of town and suburbs.

1. The boundaries of the town of Bassein and of the suburbs are—

On the north.—From the mouth of the Ngaouk stream to a masonry pillar distant about two miles on its left bank.

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* Police Constables' houses also exempted—vide Chief Commissioner's order, November 1863.

On the east.—A line drawn southwards from the above mentioned masonry pillar.

On the south.—A line drawn eastward from the mouth of the Mata stream until it intersects the boundary line on the east.

On the west.—A line drawn on the right bank of the Bassein river northernly and southernly at a distance of 400 yards from high-water mark, and intersecting the prolongation of the northern and southern boundary lines on the left bank.

Division.

2. The ground contained in this space is divided into town and suburban quarters.

Urban quarters.

3. The town quarters contain on the left bank all land between the Bassein river and a line drawn on the prolongation of the rampart of the old Burmese fort north and south until it intersects the boundary lines in those directions, at a distance, from the pagoda, of 1058 yards or thereabouts to the north, and of 1526 yards or thereabouts to the south.

Suburban quarters.

4. The suburban quarters contain on the left bank of the river all the land within the boundaries of the town and suburban limits not included in section 3, and on the right bank all the land within a distance of 400 yards from the river bank northernly and southernly to points opposite the pillar erected at the mouth of the Ngaouk and Mata streams.

MYANOUNG.

1. The town comprises all land encompassed by the following boundaries:—the Irrawaddy on the *east*, the Kounghan khyoung on the *south*, on the *north* a line drawn from the banian tree north of Magyee-zoo village on the bank of the Irrawaddy to the north-west corner of the old cantonment marked by a pillar. On the *west* by a line drawn on the bank of the Kounghan khyoung.

PROME.

Boundaries of the town of Prome.

1. The boundaries of the town of Prome are on the north, the Kin creek, (next *north* of the Naweng creek) *east* by a line drawn from the Lau-htsan creek north to the Kin khyoung, and southward by the rear of the Prome hills, and *south* by the cross road at Meng-gyan-gyee creek, including the whole of the old Burmese quarter and town lands, south of Yua-bay, as set forth in the sketch, and also the following new quarters now belonging to Thoowoonabo—Htsinzoo, and Mingalatheinga.

Division.

2. The area contained within this space, is divided into town and suburban quarters.

Urban quarters.

3. The town quarters contain all land bounded by a line drawn from the Shwe-tsan-dau pyah, north, to the Naweng creek and west to the Irrawaddy down by the south of Htsinzoo.

Suburban quarters.

4. The suburban quarters contain all the land not included in the last rule, within the town limits as defined in section 1.

THAYET-MYO.

Boundaries of the town of Thayet-myo.

1. The boundaries of the town of Thayet-myo are on the *north* the Zahtsay khyoung, now generally known as the cantonment nullah, *east* the Irrawaddy, and *south* the Menday khyoung. The *western* boundary commences at the bridge crossing the Zahtsay khyoung, follows the line of cantonment boundary till it arrives at a single tree on a knoll in the centre of the paddy plain; from this point it proceeds south to the north-east corner of the present sheep farm, along the south fence of the latter to its south-eastern angle; from whence it continues in a direct line down to the Menday khyoung.

Division.

2. The ground contained in this space is divided into four quarters—the Menday, Shoay-boantha, Zay and Yen quarters.

3. The Menday quarter is contained within the Menday nullah on the south, and the road running west from the river along the missionaries' compound to the south-east angle of the sheep farm. Menday quarter.

4. The Shoay-boan-tha quarter is bounded on the south by the above road, and on the north by the Tsin-tseip-lan. This road proceeds west from the river, leaves the Mya-thin-dau pyah on the north, and then goes up to the southern fence of the sheep farm. Shoay-boan tha quarter.

5. The Zay quarter is bounded on the south by the Tsin-tseip-lan, and on the north by the Nyoung-ben-lan, which intersects the town in a line running east and west. Zay quarter.

6. The Yen quarter is bounded by the cantonment nullah on the north, by the line of cantonment boundary on the north-west and by the Nyoung-ben-lan on the south. Yen quarter.

TOUNG-OO.

1. The town of Toung-oo is included in the four walls of the ancient fortifications. Boundary of town.

2. The suburbs are bounded on the *north* by the Mya-gyee-bouk stream, by the river Sittang on the *east*, on the *south* by a road connecting the river with the eastern wall of the ancient fortification, and entering the town by the Ngway-zen-taga; on the *west* by that part of the eastern wall of the town which is to the northward of the above gate, and a line produced in continuation of the wall till it cuts the Mya-gyee-bouk stream. Suburbs.

KYAN-GYEEN.

The town of Kyan-gyeen comprises all lands encompassed by the following boundaries :—

North.—Part of the Irrawaddy river from the point where it is cut by the Then-gyeing-lan along that road to the Then-gyeing zayat.

West.—From the Then-gyeing zayat along an imaginary line to the Myo-lay pyah. From the Myo-lay pyah along an imaginary line to the Yen-qwey zayat. From the Yeń-qwey zayat along an imaginary line to the Ayo-o pyah. From that point in a straight line cutting the Pouktan Kyoung Dyke monasteries. From that point in a straight line passing through the Boung-tha-yon pyah, and cutting the Patasheng khyoung.

South.—From the point where that line cuts the Patasheng khyoung to where it falls into the Irrawaddy river.

East.—The Irrawaddy river.

FORM OF ASSESSMENT ROLL AND TAX BILL OF LAND ASSESSMENT IN LIEU OF CAPITATION TAX.

ASSESSMENT ROLL OF (OR, BILL FOR) LAND ASSESSMENT IN LIEU OF CAPITATION TAX OF THE QUARTER IN THE TOWN OF DISTRICT OF FOR THE YEAR 186 -6

No.	Name of owner or occupier.	No. of square feet covered by buildings.	Amount of assessment.			Area of land not covered by buildings.			Amount of assessment.			Total amount of assessment.			REMARKS.
			Rs.	A	P.	Acres.	A	P.	Rs.	A	P.	Rs.	A	P.	

Date

Signature of Thoogyee.

Counter-signature of Deputy Commissioner.

RULES

FOR THE GUIDANCE OF THOOGYEES IN THE TOWN AND SUBURBS OF RANGOON.

1. Thoogyees in the town and suburbs of Rangoon have to perform all duties required by the rules of the revenue department in the province of Pegu.

Duties of town thoogyees.

2. They must also keep themselves acquainted with all changes in the ownership of land in their circle. This they will do by frequent reference to the revenue office.

As regards changes of ownership of land.

3. It is their duty to see that no unsold land is occupied by any one who has not been duly authorised by the Deputy Commissioner; and that no building of any description is put up on such land without permission from the Deputy Commissioner.

In respect to unsold land.

4. They will punctually collect all rents and taxes when due. They will report without delay to the Deputy Commissioner all changes of tenants in lots rented; in such cases the leases will be brought to the revenue office for orders by the Deputy Commissioner.

Collection of rents and taxes generally.

5. They will also punctually collect all rent due on drainage land and report any such land that is enclosed or occupied for which rent is not paid.

On drainage land.

6. Each Thoogyee will have a plan of the land and of each separate block of buildings within his circle, on the plan each separate lot or division of lots will be marked and there will be a list attached showing all lots which have received free grants or on which tax has been remitted.

Each Thoogyee to have a plan of his circle.

7. The Thoogyees are responsible that tax and rent are paid on every lot, except those for which

remission has been granted under seal of the Deputy Commissioner. Lots that are tax free will be marked in a distinctive manner on each plan.

Responsibilities regarding unauthorized encroachment of land.

8. The Thoogyees are generally responsible for immediately reporting to the Deputy Commissioner, all unauthorized encroachment, upon land which has neither been sold nor rented. The drainage space he is more especially responsible for; encroachments upon the public roads he should likewise report in order that the same may be notified to the Magistrate. Encroachments on the drainage space and public roads should also be notified to the Executive Engineer. That officer also should require the overseer of the Public Works department periodically to inspect the same.

Regarding breach of abkaree rules.

9. The Thoogyee is required to bring to the notice of the Deputy Commissioner, without delay all infringements of the abkaree rules. He is expected to look closely to see if the rules are obeyed, or not. To enable him to do so, he is furnished with a Burmese translation of the rules.

RULES

FOR THE GRANT OF TOWN ALLOTMENTS IN RANGOON.

Rangoon, 14th October 1853.

The following rules for the grant of town and suburban allotments within the limits of the jurisdiction of the town Magistrate of Rangoon, sanctioned by the Most Noble the Governor General in Council, are published for general information. The letters have reference to a lithographed plan of the town.

Limits of jurisdiction of the town Magistrate.

1. The jurisdiction of the town Magistrate extends on the Rangoon side of the Irrawaddy south of a line drawn from the northern extremi-

ty of Neikban village in Kemendine, passing to the north of Thwaytsay tank and royal lake, to the northern extremity of the village of Puzoondoung. On the Dallah side, over all houses and villages on the banks of the river, from the mouth of the Panlang creek to opposite the mouth of the Puzoondoung creek, within a line to be marked out hereafter.

Town lots how to be sold.

2. All town lots will be sold by auction at an upset price, except that parties who are known to the local authorities to have occupied residences or places of business when the war broke out, will be allowed to retain the sites on which they now reside, or to acquire other lots in lieu thereof, at the minimum selling price fixed for such lots, without their being put up to auction.

Purchase money when to be paid.

3. Half of the purchase money to be paid within three days from the time of sale, and the other half within one year, failing which the lot or lots shall be sold at the risk of the first purchaser.

Minimum selling price.

4. The minimum selling price for town lots, with the exception of those in the line of squares farthest back from the river bank, is fixed as follows :—

No. of lots in each square.	Class of lots.	No. of square feet in each lot.	Rate per square foot.		Price of each lot.		Total of each class.	
			As.	P.	Rs.	As.	Rs.	As.
12	1	11,500	3	0	2,156	4	25,875	0
24	2	6,000	2	3	843	12	20,220	0
48	3	2,000	1	6	187	8	4,680	0
8	4	1,600	1	6	150	0	1,200	0
80	5	1,250	1	6	117	8	9,375	0
					Total...		61,350	0

The minimum selling price for town lots in the row of squares farthest back from the river bank is fixed as follows :—

No. of lots in each square.	Class of lots.	No. of square feet in each lot.	Rate per square foot.	Price of each lot.	Total of each class.
			As. P.	Rs. As. P.	Rs. As.
12	1	11,500	2 8	1,612 8 0	19,350 0
24	2	6,000	1 6	562 8 0	13,500 0
48	3	2,000	9	93 12 0	2,340 0
8	4	1,600	9	75 0 0	600 0
80	5	1,250	9	58 9 6	4,687 8
				Total,...	40,477 8

Land assessment.

5. Each town lot will be charged with an annual land assessment in lieu of the capitation tax levied on families residing beyond the limits of the Magistrate's jurisdiction. The rate of this assessment is fixed at present at half a pie per square foot on the area of the lots as follows :—

	rupees.	annas.	pie.
1st class lots, ...	28	11	0
2nd „ „	15	10	0
3rd „ „	5	3	4
4th „ „	4	3	8
5th „ „	3	4	0

The Government reserves the right to raise this rate at any future time.

The land assessment will be collected upon the general principles of Act XXXV of 1852, as far as the same may be applicable to the case.

Municipal tax.

6. Each town lot will further be charged with a monthly municipal tax, which for the present is fixed as follows :—

	rupees.	annas.	pie.
1st class lots, ...	3	4	0
2nd „ „	1	10	0
3rd „ „	0	9	0
4th „ „	0	7	0
5th „ „	0	5	0

7. A good and substantial bonâ fide dwelling house or warehouse must be erected upon each allotment within one year from the date of sale or allotment, failing which the lot will be liable to resumption by Government. When a lot is resumed under this rule, the registered owner will be entitled to receive back the principal sum received by Government as the original sale price of the lot, but no more. Such resumed lots will be resold only under the condition of brick or pucka houses being erected thereon.

Stipulation regarding erection of houses.

8. All houses in square F to be of brick, with pucka or tiled roofs. Within this space also a few lots of greater area than the ordinary first class lots will be granted to merchants and others requiring extensive premises to carry on their business.

Pucka houses only to be erected in one square, and all pucka or tiled roofs in other squares.

All houses on lots of the first and second classes to have a pucka or tiled roof within two years, and of the remaining classes a tiled roof within three years, from the date of sale or allotment; failing therein each house will be liable to double municipal tax until such roof be constructed, for a period equal to the time allowed to construct the roofs prescribed for each class, viz :—two years for the first and second classes and three years for the remaining classes. After the expiration of this period, if the prescribed roof is not constructed, the lot will be liable to confiscation. Temporary roofs, of other materials than tiles, to to be covered with a coating of mud, or with white-washed mats, as directed by the Magistrate, failing which the Magistrate may order the house to be unroofed.

9. First class lots in each square, viz :—Nos. 2, 8, 5, and 11, will be reserved until the drainage, which will have to pass through them, shall be completed.

Temporary reservation of certain lots.

Reservation of sites.

10. The two centre double rows of lots in square C 2 and F 2, will be reserved for public bazars, and the space C, by the river side, will be set apart for a fish market.

Registration of lots required.

11. A register will be made of purchasers at the original sale, and thereafter all partitions of lots, and all sales and changes of ownership of lots or portions of lots, must be duly registered. The registered owner alone will be recognized by the Courts, and he will be charged with the land and municipal assessment of the tenement registered in his name. On his failing to pay these assessments when due, any occupant or occupants of the whole, or of any portion of the tenement, will be jointly and severally chargeable with them.

Prohibition of nuisances.

12. The quantity of gun-powder kept on any premises within the town is not to exceed 12lbs. Any person having more than that quantity will be required to deposit the surplus in a magazine which will be erected by Government. No buffaloes, oxen, cows, or pigs, will be allowed to be kept on any lot within the town, nor will any slaughter-house, or manufactory which is offensive or injurious to public health be allowed to be established; nor will the burning or burying of the dead be permitted within the town.

13.
14.
15.
16.
17.
} Repealed under the rules published on the 9th January 1854.

Land assessment and municipal tax to be levied on whom.

18. Persons at present occupying land within the limits of the Magistrate's jurisdiction without grants from the local authorities, will be charged, from the 1st of May 1853, land assessment and municipal tax, on the principle and at the rates laid down in these rules.

19. The purchasers of lots under these rules will obtain a right of property in the soil, subject to the conditions above set forth. Right of property conveyed in the soil.

RULES

FOR THE GRANT OF SUBURBAN ALLOTMENTS IN RANGOON.

RANGOON, 1st November 1852.

The following revised rules for the grant of suburban allotments within the limits of the jurisdiction of the town Magistrate of Rangoon, sanctioned by the Most Noble the Governor General, are published for general information :—

1. Sections 13, 14, 15, 16, and 17 of the rules for the grant of town and suburban allotments, published on the 1st of November 1853, are repealed from this date. Repeal sections 13 to 17 of rules of the 1st November 1853.

2. Suburban allotments are divided into four classes, according to their situation and vicinity to the town. Division of lots.

3. The first class comprises all lots lying along the bank of the canal road in the town, and all lots immediately adjoining the esplanade between the southern face of the stockade and the canal. First class.

4. The second class comprises all lots, other than those of the first, situated around the town of Rangoon, within the limits of a line formed by the southern face of the stockade, proceeding eastwards to the Puzoondoung creek, and of a line drawn from the southwest angle of the stockade to a pillar to be erected on the Kemendine road. Second class.

5. The third comprises all the lots to the eastward of the stockade, other than those of the first and second classes, and lots on the westward of the stockade situated between the line drawn from Third class.

the south-west angle of the stockade to the pillar on the Kemendine road, and a line drawn from the north-west angle of the pagoda platform to the point where the Kemendine road is intersected by the Tsan-khyoung.

Fourth class.

6. The fourth class comprises all lots situated to the north of the line drawn from the north-west angle of the platform to the point where the Kemendine road is intersected by the Tsan-khyoung.

Lots how to be applied for.

7. Any person desirous of obtaining a grant of the suburban allotment, will apply in writing to the Deputy Commissioner of Rangoon, or other officer in charge of his office, and will specify the locality of the land he applies for, the class to which it belongs, and its length and breadth.

Procedure by Deputy Commissioner.

8. On application being so made, the Deputy Commissioner, or other officer in charge will ascertain if the land applied for is available, and should it be so, will proceed as hereinafter directed.

Limit of lots.

9. No suburban allotment will be granted of greater extent than 10 acres.

Minimum selling price at the following rates.

10. The land applied for, or any portion thereof, shall, if available, be put up to auction at a minimum upset price, according to its class :—

1st class	rupees	1000	per	acre.
2nd	"	"	400	"
3rd	"	"	200	"
4th	"	"	50	"

Land assessment.

11. An annual land assessment in lieu of capitation tax will be charged upon these lots according to their class, at the following rates on the area occupied by buildings of any description :—

1st class	4	pie	per	square foot.
2nd	" 3	"	"	"
3rd	" 2	"	"	"
4th	" 1	"	"	"

The Government reserves the right to raise these rates at any future time, and will do so on allotments of the first and second classes, if they are sub-let or divided into minute building lots. *

12. These lots will also be subject for land revenue to a yearly land tax, which is fixed for the present at three rupees per acre. Land tax.

13. The municipal tax will be assessed monthly upon the dwelling house, according to its class, at the same rate as houses on lots within the town. Municipal tax.

14. A register will be made of purchasers at the original sale, and thereafter all partitions of lots and all sales and changes of ownership of lots or portions of lots, must be duly registered. The registered owner will alone be recognized by the Courts, and he will be charged with the land and municipal assessment of the allotment registered in his name. On his failing to pay these assessments when due, any occupant or occupants of the whole or of any portion of the allotment will be jointly and severally charged with them. Lots to be registered, what parties chargeable with assessments.

15. The grantees of lands under these rules will obtain a right of property in the soil, subject to the conditions above set forth. Right of property conveyed in the soil.

RULES

FOR THE GRANT OF SHIP-BUILDING AND TIMBER YARD ALLOTMENTS IN RANGOON.

RANGOON, January 9th, 1854.

The following rules for the grant of land for ship-building and timber yards in the vicinity of Rangoon, sanctioned by the Most Noble the Go-

* The area occupied by sheds erected over ships building, repairing, or laid up, or over sawpits, or any other sheds which are evidently sheds, and not dwelling houses, will not be included in this assessment. Granaries, ware-houses or buildings walled all round do not come within the category of "sheds."

vernor General in Council, are published for general information.

No grants for ship-building or timber yards will be made on lands between the mouth of Botatoung creek and the mouth of the San-kyoung on the Rangoon side; or from the Government coal shed to 300 yards up the Dallah creek, on the Dallah side of the river.

Method of applying for a grant of land for a timber or a ship building yard.

1. Any person desirous of obtaining a grant of land upon the river bank in the vicinity of the town of Rangoon, for the purpose of making a timber or a ship-building yard, will apply in writing to the Deputy Commissioner of Rangoon, or other officer in charge of his office, and will specify the locality of the land he applies for, with the length of river frontage and depth in yards.

Inquiry to be made whether the land is available or not.

2. On application being so made, the Deputy Commissioner, or other officer in charge, will ascertain if the land applied for is available, and, should it be so, will proceed as hereinafter directed.

River frontage of grant not to exceed 250 yards.

3. No grant of land for the purposes above mentioned will be made exceeding in river frontage 250 yards, to be measured at high-water mark, and the same extent in depth.

Amount of upset price, and rates of annual assessments and of taxes.

4. The land applied for, or any portion thereof, shall, if available, be put up to auction at the upset price of rupees 500 per acre. The price offered at such sale will be final. The assessment and taxes prescribed for suburban allotments will be applicable to timber yards.

Land granted to be preserved bonâ fide for ship-building or timber yards.

5. The land granted is to be reserved bonâ fide as a ship-building or timber yard, and in the event of its being used for other purposes, the grant of the same will be null and void; provided that the restriction shall not be construed to prevent the building of warehouses for the use and profit of the owners of the land.

5. *a* Lands situated away from the river bank and not included in timber or ship-building yards as above described under rule 3, will be put up to auction at the following rates: lands having a creek frontage (as 2nd class suburban allotments,) at rupees 400 per acre. Lands having neither a creek nor a river frontage (as 4th class suburban allotments,) at rupees 50 per acre.

6. A register will be formed for entering at the time of making each grant under these rules. No persons will be permitted to divide the grant, or sub-let any portion of it, without the sanction of the local authorities. All future divisions of grants, sanctioned by the local authorities, must be registered. The registered owner will alone be recognized by the Courts, and he will be charged with assessments.

Registry to be made of each grant or division of a grant which cannot be divided or sub-let except with the sanction of the local authorities.

7. The grantees of lands under these rules will obtain a right of property in the soil, subject to the conditions above set forth.

Grantee of land to obtain a right of property in the soil.

RULES

FOR THE GRANT OF EXTRA SUBURBAN ALLOTMENTS IN RANGOON.

The following rules for the grant of extra suburban allotments in the vicinity of the town of Rangoon, sanctioned by the Most Noble the Governor General in Council, are published for general information:

Land within a circle of four miles from the limits of the jurisdiction of the Magistrate of Rangoon will be granted to applicants on the following terms:—

1. First class, comprising lots situated on the banks of the Irrawaddy or Pegu rivers, or on the east bank of Puzoondoung creek from its mouth to opposite the boundary pillar marking the limits of the Magistrate's jurisdiction on the west

First class how to be sold.

bank, will be sold by auction at an upset price of rupees 400 per acre.

Second class how to be sold.

2. Second class, comprising all lots having a river frontage, or any creek or nullah navigable by boats in the dry season, will be sold by auction at an upset price of rupees 50 per acre.

Third class free.

3. Third class, comprising all other lots than the above, will be granted free.

Land assessment.

4. The annual land assessment on all these lots is fixed for the present at rupees three (3) per acre, and the grants will be exempted for the first years as follows, according to the description of jungle upon them :—

	1st class lots.	2nd and 3rd class lots.
	years.	years.
Mangrove and tree jungle, ...	2	4
Bush jungle, ...	1	3
Reed and long grass, ...	0	2
Short grass and fallows, ...	0	1

Size of first class lots.

5. No lots of the first class to exceed 250 yards of river frontage, by the same in depth.

Of second and third class.

6. No lots of the second and third class to exceed 100 acres.*

RULES

TO ENSURE THE BETTER OBSERVATION OF THE FOLLOWING RULES :—

Section 11.—OF THE TOWN ALLOTMENT RULES, dated 1st November 1853.

Section 14.—OF THE SUBURBAN ALLOTMENT RULES, dated 9th January 1854.

* The above rules do not apply to paddy land nor to any land which was occupied or built upon on the 1st January 1856 and which still remains so ; but unoccupied land situated within three hundred yards of the bank of any river or creek is reserved to be granted under these rules.

Section 6.—OF THE SHIP-BUILDING AND TIMBER ALLOTMENT RULES, dated 16th November 1853, in respect to registration of ownership to land in the town and suburbs of Rangoon.

Dated 1st April 1859.

Land register in revenue office.

1. The register required to be made of purchasers of allotments under the above rules is kept in the revenue office of the Deputy Commissioner's Court, and is not merely the registry in the office of the Registrar of deeds.

Registered owner alone recognized.

2. By section 11 of the town lot rules, and 14 of the suburban allotment rules, all partitions of lots, and all sales and changes of ownership of lots, must be duly registered. The registered owner alone will be recognized by the Courts, and will be charged with the land and municipal assessments of the allotment registered in his name.

3. Under section 6 of the ship-building and timber allotment rules, registration of ownership by a purchaser is also imperative, but the dividing or sub-letting of grants, except under special sanction, is prohibited.

New proprietors must be registered in Revenue office.

4. On the occasion of transfer of proprietary right in any entire lot, or distinct portion of a lot, whether from death of the former owner, from sale, or from any other cause, the same is to be notified to the Deputy Commissioner of Rangoon, and the name of the new proprietor registered in the Revenue office of the district. No proprietary right in the land will be recognized by any Court in Pegu, unless the proprietor's name has been so registered.

Transfer by sale.

5. In cases of transfer by sale or assignment, the same is to be acknowledged by both parties in person, or by accredited agents, before the Deputy Commissioner at the time of registry, and the registry is to be attested by the principals, or

their agents, and also by at least two competent witnesses, whose names and places of abode are to be inserted.

Sub-division of lots.

6. In any sub-division of lots, the measurement for boundary of such sub-division should be distinctly given.

7. Purchasers of a fractional interest in a whole lot, without sub-division of the same, should also have their names registered in like manner.

Registrar of deeds.

8. From and after the 1st May 1859, the Registrar of deeds will receive for registry only such deeds referred to in the above rules as may be first certified on the face thereof by the Deputy Commissioner as having been registered in the Revenue office.

SCALE OF FEES

LEVIABLE FOR REGISTRATION OF TOWN LANDS IN RANGOON, SANCTIONED BY GOVERNMENT OF INDIA IN THE FOREIGN DEPARTMENT LETTER NO. 747 DATED THE 22ND OF JULY 1864.

	rupees.	annas.	pie.
For registration of the name of the owner, and other particulars in the register book	2	0	0
For searching the register	1	0	0
For granting copy of any single entry in any register	0	8	0

TRANSFER OF TOWN ALLOTMENTS, RANGOON.

A RULE AS TO NOTICE IN CASE OF DEATH OF PROPRIETOR OF A TOWN OR SUBURBAN ALLOTMENT.

Rangoon, dated

Any person claiming to represent the deceased proprietor of a town or suburban allotment, and desiring to have the land register altered accor-

dingly, will apply, in writing for this purpose, to the Deputy Registrar, who will issue a notice three times in English and Burmese, in the Official gazette, and have a copy of the same affixed at his office, inviting all persons claiming, as heirs or otherwise, to succeed to the said land, to appear before him within fifteen days, at the expiration of which time all claims will be investigated and the land will be duly transferred in the register to the claimant having the strongest title; dissatisfied parties being referred to the Civil Courts for substantiation of their claims. Provided that if it appear to the said Deputy Registrar that none of the claimants have sufficient title, he may decline to make any transfer of landed property as provided for in this rule.

RULES

FOR CONDUCTING SALES OF LAND BY AUCTION, IN THE TOWN AND SUBURBS OF RANGOON.

Dated 26th April 1853.

All lands put up to auction.

1. All lots of land situated within the town and suburbs of Rangoon, and all land applied for as ship-building and timber yard allotments, shall, as provided in the rules for the grants of land in Rangoon and the vicinity, be put up for sale by public auction, at the upset price fixed in the said rules.

Application for land.

2. Parties who may require such allotments, will apply in writing to the Deputy Commisioner of Rangoon, or other officer in charge of his office, specifying the locality of the land—the class to which it belongs—its length and breadth, and in the case of ship-building and timber yard allotments, its river frontage.

Order to Government Auctioneer.

3. On ascertaining that the land is available, the Deputy Commissioner, or other officer officiating in charge of the revenue office of the dis-

trict, will issue a written order to the Government auctioneer, directing him to sell the said lot, after giving 15 clear days' public notice, and advertising the same, at least three times, in the local newspaper or advertiser, according to the following form, viz :—

THE undersigned are instructed to sell by auction on the the following town [or suburban] lots :

1st	class	lot	No.—block—.	
2nd	"	"	"	"
3rd	"	"	"	"
4th	"	"	"	"
5th	"	"	"	"

Terms and conditions of sale as usual.

The sale to take place on the spot at half past 7 A.M.

(Sd.) ————,
Auctioneers.

Rangoon, the day of 186 .

Days of sale.

4. For the present these sales are fixed for Tuesdays and Saturdays in each week.

Land to be advertised.

5. The Government auctioneer for the sale of town lands will, on the receipt of the notice above referred to, post a placard announcing the sale of the land to be sold, and publish the advertisement of the sale three times at least in the local newspaper or advertiser; and cause, on the day previous to the sale of the land, proclamation of such intended sale to be made in a public manner through the town by the beating of a gong, and particularly at the spot where the auction sale is to take place. A placard announcing in legible characters that land is for public sale, will be put up by the auctioneer on the lot or lots intended to be sold, not less than 24 hours previous to the sale, and it shall remain there until the sale takes place.

6. On the morning of the sale, the Government auctioneer for the sale of town lands will himself, or by a competent party, attend at the place of sale, and put up each lot, or parcel of ground to auction separately, at the Government upset price as already provided, and knock down the ground to the bidder of the highest price, offered at such sale, which price will be considered final.

Land to be sold on the spot.

7. Provided that at the discretion of the auctioneer, he may call on such auction purchaser to pay down a deposit of 25 per cent. at the time of sale, or give such other sufficient security for completing the purchase of the lot, failing which the lot shall be immediately put up again and resold.

Deposit may be called for.

8. Provided, that on any dispute between auction purchasers, the party who considers himself aggrieved, shall the same day present his complaint in writing to the Deputy Commissioner, or lodge it at the Revenue office, in case of the absence of the Deputy Commissioner, and the Deputy Commissioner shall take up the complaint summarily, and pass such orders on it as may be proper in the case, such orders to be final, if not appealed to the Commissioner within three days from the date of the passing of such order.

Disputes, how to be settled.

9. Provided also, that no grant of the land shall issue until the case shall have been finally decided, as provided for in the last section.

Proviso.

10. The Government auctioneer for the sale of town lands will, at and during the time of sale, have proclamation of such sale made on the spot, by the beating of a gong.

Proclamation to be made on the spot.

11. The Government auctioneer for the sale of town lands, or other such competent person as may be deputed by him to sell the land, shall in selling each lot separately, stand on such lot.

Auctioneer to stand on the lot he is selling.

Name of actual purchaser entered.

12. At the conclusion of the sale, the Government auctioneer for the sale of town lands shall inquire of the party to whom the lot is knocked down whether he has purchased it for himself or for another person, and according as he shall desire the auctioneer shall enter the name of the person said to be the actual purchaser in his sale book, and shall give to the party, to whom the lot is knocked down, a certificate of purchase, stating the price at which the lot has been sold, and the name of the party said to be the actual purchaser, which certificate shall be presented by the auction purchaser at the Revenue office of the district on the day of the sale, for the purpose of having it exchanged for a Government grant.

FORM OF DEED OF SALE OF LAND.

BLOCK—— CLASS LOT NO.—

IN CONSIDERATION of the sum of rupees to be paid by to the Deputy Commissoner of Rangoon for the time being, for and to the use of Her Majesty's Government in India, on the days and in manner hereinafter specified, Her Majesty's Government in India doth grant unto the said h heirs and assigns for ever, all that parcel of land situated in the town of Rangoon, known as class lot No. of block measuring feet in length and feet in breadth, containing superficial feet or thereabouts, subject to the conditions hereinafter specified.

And the said do hereby for h heirs and assigns covenant, promise and agree

with and to Her Majesty's Government in India in manner following; that is to say:—

1st.—That the said h heirs and assigns will pay or cause to be paid to the Deputy Commissioner of Rangoon for the time being the sum of rupees in two instalments as follows, that is to say, the first instalment of rupees on or before the day of 18 and the second instalment of rupees on or before the day of 18

2nd.—And that the said h heirs and assigns will pay from time to time such amount of land assessment commencing from and for the official year 186 -6 , and Municipal tax as shall be demanded upon and on account of the aforesaid parcel of land or any buildings thereon by the local officers under the sanction and authority of Her Majesty's Government in India.

3rd.—And that the said h heirs and assigns will abide by and conform to all the provisions of the rules for the grant of town and suburban allotments within the jurisdiction of the town Magistrate of Rangoon, published on the 1st day of November 1853, by order of the Commissioner and Agent to the Governor General and Viceroy in Pegu, with the sanction of the Right Hon'ble the Governor General and Viceroy.

In witness whereof the said parties hereto have hereunto set their hands and seals this day of 18

Signed, sealed and delivered }
in presence of }

Deputy Commissioner of Rangoon,
for Her Majesty's Government in India.

BLOCK—— CLASS LOT No.—

Received from the sum of rupees being the first instalment of the within bond.

Deputy Commissioner of Rangoon.

Deputy Commissioner's Office,
RANGOON,
The of 18

Received from the sum of rupees being the second instalment in full of the within bond.

Deputy Commissioner of Rangoon.

Deputy Commissioner's Office,
RANGOON,
The of 18

RULES

FOR THE GRANT OF LAND FOR SHIPPING YARDS ON THE BASSEIN RIVER.

Dated 20th July 1859.

Land for shipping yards will be granted within certain limits, subject to varying rates of assessment and taxes.

Classification of shipping yards.

1. Land which is available for shipping yards on the banks of the Bassein river will be granted with river frontage within the boundaries and on the terms hereinafter mentioned:—

1st.—Existing shipping yards on the left bank of the river, situated within the limits of the town quarters, will pay taxes at the following annual rates:—assessment in lieu of capitation tax on ground covered by buildings at one pie and a half per square foot; at the rate of three (3) rupees an acre on occupied land not so covered; and for municipal tax at one pie per square foot on all ground covered by buildings.

2nd.—On the right bank of the river for a distance not exceeding two miles, measured along the bank from a point opposite to the Shoé Moordau pagoda, and on the left bank beyond the limits mentioned in clause first up to a distance of two miles from the said pagoda, measured as before, at the following annual rates :—on ground covered by buildings, in lieu of capitation tax, one and a half pie per square foot. For land occupied but not built upon three (3) rupees an acre. For municipal tax half a pie per square foot on ground covered by buildings.

3rd.—On both banks of the river land distant from two to four miles, measured as above from the said pagoda ;—assessment in lieu of capitation tax one and a half pie per square foot on ground covered by buildings. On land occupied but not built upon three (3) rupees an acre. Municipal tax nothing.

4th.—On either bank of the river beyond four miles distant from the said pagoda, for assessment in lieu of capitation tax on ground covered by buildings one pie per square foot. On ground occupied but not built upon three (3) rupees an acre. Municipal tax nothing.

Application for grants how to be made.

2. Any person desirous of obtaining a grant of land within the above-mentioned boundaries, will apply in writing to the Deputy Commissioner of Bassein, or other officer in charge of his office, and will specify the locality of the land he applies for, with its length of river frontage and depth in yards.

Deputy Commissioner to ascertain if land applied for is available.

3. On application being so made the Deputy Commissioner, or other officer in charge, will ascertain if the land be available, and, should it be so, will proceed as hereinafter directed.

Limit of river frontage.

4. No grant of land for the purposes above specified will be made exceeding in river frontage

250 yards, to be measured at high water, or less than 250 yards in depth.

Minimum rate per acre of land within two miles of pagoda.

5. The land applied for, or any portion thereof, shall, if available, when situated within a distance of two miles from the said pagoda, when applied for be put up at public auction, subject to the taxes above-mentioned or hereafter to be declared, at the minimum rate of one hundred (100) rupees per acre.

Minimum rate per acre of land beyond two miles.

6. Land situated at a greater distance than two miles from the said pagoda will, when applied for, be put up to public auction at the minimum rate of sixty (60) rupees the acre, and be subject to the taxes above-mentioned, or hereafter to be declared.

Register of owners of shipping yards.

7. A register will be formed of purchasers under these rules and of existing owners of shipping yards, who will receive grants for their yards. Hereafter all partitions of such yards, and all changes of ownership in them, must be registered. The registered owner will alone be recognized by the Courts, and he will be charged with the assessment and taxes payable on land registered in his name. On his failing to pay these assessments when due, or in the event of his not being found, any occupant or occupants of the whole or of any portion of the tenement will be jointly and severally chargeable with them.

Right of property in the soil.

8. The purchasers and grantees of land under these rules will obtain a right of property in the soil subject to the conditions above set forth.

Rates of assessment and tax may be altered.

9. The rates of assessment and taxes as now declared may be raised or lowered hereafter.

Taxes by whom payable.

10. Any amount of assessment or tax due on land granted or purchased under these rules, may be recovered on the principle laid down for processes against revenue defaulters in the revenue rules for the province of Pegu. Either the owner or occupier is responsible for the amount due.

RULES

FOR THE SALE OF LAND IN THE TOWN AND SUBURBS OF MAULMAIN.

1. All land shall be sold at public auction under and subject to the terms and conditions of these and the auction rules hereinafter mentioned.

2. All applications for land shall be made in writing, accompanied, except for town allotments, by a rough sketch of the same, stating its boundaries and vicinity, also specifying clearly the object and purpose for which it is required, to the Deputy Commissioner or officer in charge of the grant department.

With every application a sum of ten rupees must be deposited to meet and cover the expenses of surveying, conveying, advertising and notifying the sale, &c., &c. Any surplus will be returned.

3. Every original sale of land will be registered by the officer signing the grant in the land registry office of the grant department.

4. Every grant of land, besides such other special conditions as the Chief Commissioner or Commissioner may, with the consent of the grantee, have imposed, shall be subject to the following general conditions, the infringement or neglect of any of which will render it liable to resumption:—

1.—All buildings erected on lots in the town itself shall be made of substantial materials with pucca, tiled, shingled, or plank roofs, or a roof in the opinion of the local authorities equally secure against fire.

2.—The land, with all erections thereon, will always be liable for the discharge of the public taxes, local and general, and the municipal assessment.

3.—The tenants, or other persons in possession or occupying in the absence of the owners, will be liable for the payment of these taxes and assessment with the right of recovery from the owner as provided for by law.

4.—The owner of the land binds himself to observe all local laws in force, or which hereafter may be put in force regarding the registration of land.

5.—Every payment for land, and charges or deposits on account of land, should be made only on a receipt being given, and not otherwise.

5. In all applications for, or other matters concerning land, the Deputy Commissioner, or officer in charge of the grant department, must be addressed by petition which should be presented in person, or by some competent agent to hear and receive the order which may be passed thereon, all correspondence with the department being impracticable and forbidden.

Any ordinary inquiry may be made in person at the grant office.

6. Every sale of land will be publicly notified in English and Burmese at least 15 clear days before the sale.

The notice will specify the date, hour, and place of sale; the land to be sold, its area, its upset price and the terms and conditions of the sale, and be published three times in one of the local newspapers, or other advertising medium; one copy will be affixed at the grant office, and another at the most public spot near the place of sale.

7. All land will be sold on the spot at the upset price, and tom-tomed at least one hour before and up to the time of sale within a circuit of not less than 300 yards of the land to be sold.

8. The land will be knocked down to the highest bidder above the upset price (whether he be the original applicant or not) and the sale then declared.

In the event of any dispute or doubt which of two or more is the last bidder, the land will be immediately again put up at the previous bid and then sold to the person who next thereafter bids highest.

9. Every purchaser, if required by the auctioneer, must pay down at the time the sale is declared one fourth of the purchase money, failing which the land will again be put up (at the upset price) at his risk and loss in consequence of such re-sale, but without any of its advantages.

10. One half of the purchase money must be paid within 3 days from the sale, and the remaining half within two months thereafter, failing the former the land will be re-sold under the same conditions as stated in rule 9—failing the latter, the money previously paid will be forfeited and the land lapses by right to Government.

11. All charges and expenses incurred in surveying, advertising and selling the land must be paid by the purchaser, in addition to and besides the purchase money.

12. The purchase money may be paid either in rupees or government currency notes.

13. Within 12 hours from the declaration of the sale of any land the auctioneer must send in to the Deputy Commissioner or officer in charge of the grant department a memorandum specifying the (1) date of sale (2) name of the purchaser, (3) number, division and area of the lot, and (4) the amount of the purchase money.

14. The upset price of all land, if not already fixed in the scale of upset prices for each division, will be determined by the Commissioner, after considering the present value of the adjacent land and any other advantages the site and position of the land intended for sale may possess.

15. No sale will be considered final until the third day after, exclusive of the day of sale, unless the whole sum be paid previously.

Upon this day, but not before, and conditional upon the payment of the half of the purchase money, the auctioneer will give the purchaser a certificate, with the particulars noted in rule 13, besides the receipt for the half of the purchase money.

On presentation of the certificate at the grant department, a grant will be issued for the lot in the name of the certificate purchaser.

16. In the event however of any one feeling aggrieved, from whatever cause, by the sale of any land, he may present his complaint at any time before the sale is made *final*, as set forth in the preceding rule, to the Deputy Commissioner or officer in charge of the grant department, who will hear the matter summarily, and either dispose of the case himself, if he considers it within his authority and proper so to do, or refer it to the Commissioner.

In the event of any appeal being made within three days from his order, or pending the reference to the Commissioner, the issue of the grant will be suspended.

The order passed by the Commissioner will be open to appeal for thirty days only, to the Chief Commissioner, whose order in any case will be final.

17. All land must be sold by the auctioneer himself standing on some portion of the same.

A substitute will not be allowed without the sanction of the grant department.

18. The auctioneer in all cases will receive his instructions from and act under the authority of the Deputy Commissioner or officer in charge of the grant department only.

19. The auctioneer shall immediately pay into the government treasury all monies received by him on account of land, or other matters connected with the grant department, with a chellan setting forth all the particulars thereof, and countersigned by the Deputy Commissioner, or officer in charge of the grant department.

20. All excesses in the measurement of land to be reported to the Commissioner, and disposed of under his orders only.

1.—In the event of their disposal, the land in excess will be first offered at a fixed rate to the grantee within whose compound it may fall, failing his purchase of the same at this price it will be put up to public auction at the same fixed rate and knocked down to the highest bidder who must be a contiguous landholder.

2.—If the land in excess adjoin unsold government land it may be resumed and make up a portion of the same.

3.—All land in excess, sold at an upset price or by public auction, shall be considered as part and parcel of the land previously held by the purchaser and subject to the tenure of the grant of the same.

4.—The land in excess to be added in on the plan of the original grant, after it has been registered and so written off in the grant department, and colored red.

RATES

FOR THE SALE OF LAND IN THE TOWN AND SUBURBS OF MAULMAIN.

1st DIVISION.

Mopoon and Kyouktan.

1st.—All land to the north of Kyouktan creek and west of Kyouktan and lower Mopoon roads.	6 pie per square foot or 1361-4 per acre.
2nd.—All other land fit for building purposes.	2 pie per square foot or 455-12 per acre.

2nd DIVISION.

Moungan.

1st.—All land west of lower Main road.	1 anna per square foot or 2722-8 per acre.
2nd.—All land east of the above and west of upper Main road.	6 pie per square foot or 1361-4 per acre.
3rd —All land east of the above.	3 pie per square foot or 680-10 per acre.

3rd DIVISION.

Tavoyzoo and Myangoon.

1st.—All land west of Haughton's road.	1 anna and 6 pie per square foot or 4083-12 per acre.
2nd.—All land east of the above and west of Carthew's road.	8 pie per square foot or 1815 per acre.
3rd.—All land east of the above and west of Colvin's road.	6 pie per square foot or 1361-4 per acre.
4th.—All land east of No. 3	4 pie per square foot or 907-8 per acre.

4TH DIVISION.

TSEET-KAY-KONG, SHOAY-DOUNG-TADAH AND KALADAN.

1st.—All land west of lower Main road.	2 annas per square foot or 5445 per acre.
2nd.—All land east of No. 1 and west of Dalhousie, Nyabustee and St. Matthew's road.	1 anna 6 pie per square foot or 4082-12 per acre.
3rd.—All land east of No. 2 and west of upper Main road (St. Patrick's road.)	9 pie per square foot or 2041-14 per acre.
4th.—All land east of No. 3.	6 pie per square foot or 1361-4 per acre.

5TH DIVISION.

OBOE AND DINE-WOON-QUIN.

All building land in this Division.	3 pie per square foot or 680-10 per acre.

6TH AND 7TH DIVISIONS.

All building land in these two Divisions.	1 pie per square foot or 226-14 per acre.

NOTE.—Garden, paddy, and waste land in the 1st, 2nd, and last three divisions to be sold under the Revenue Rules by the Deputy Commissioner.

SECTION II.—MISCELLANEOUS REVENUE.

CHAPTER I.—ABKAREE.

RULES

FOR THE SALE OF WINE, BEER, SPIRITUOUS AND FERMENTED LIQUORS AND INTOXICATING DRUGS IN BRITISH BURMA.

Preamble.

Declaration of object.

The object of the Abkaree or Excise department in British Burma is to raise for the public benefit the greatest possible amount of revenue from the smallest possible consumption of spirituous and other liquors and intoxicating drugs used by the native population.

It is not desired to extend the consumption of spirituous liquors and drugs into the interior of the country. At the sea-port towns and at the large stations, where there is generally a considerable foreign population, already accustomed to the use of stimulants, the right to sell by retail, for consumption on the premises, intoxicating liquors and drugs may be farmed out annually as hereinafter provided. At other places in the interior of the country no sale of liquor or drugs will be allowed, except on the extreme northern and southern borders of the province, where it has been found impossible, except by measures which would be vexatious to the whole population, to prevent the illicit sale of opium brought from other countries.

In the principal towns, also, licenses will be issued for the sale of European wines and of spirituous and fermented liquors. The amount derived from these, and from tavern licenses, is credited to the municipal fund of each town.

Trees yielding toddy exist in most parts of the country. Whether the sale of the toddy juice be permitted or not, fermented toddy will surely be drank where the trees exist. The liquor is wholesome and it is right to regulate the sale, and derive a revenue therefrom, as the consumption cannot be prevented, even were it desirable to do so.

Distilleries are licensed under separate rules.

On the above grounds the following rules have been framed for the province of British Burma, to have effect on and after the 1st May 1866 :—

Farms for retail sale.

1. The Deputy Commissioner of each district may, with the sanction of the Commissioner of the division, let a farm for an annual sum, to be ascertained either by calling for tenders or by public auction, for each year commencing with 1st of May the exclusive right of selling by retail, within a specified locality, spirituous or fermented liquors for consumption on the premises, and of intoxicating drugs. Provided that the same shall only be sold at the head-quarter stations of the Deputy Commissioner of each district, or at such of them as may be deemed requisite, and at such other towns as shall annually be allowed by the Chief Commissioner. Provided that with the sanction of the Chief Commissioner the period for which a farm is let may exceed one year. Provided also that in the districts of Akyab and of Mergui the Commissioner of the division may sanction the sale of opium with the permission of the Chief Commissioner at places other than the head-quarter stations, either by farm or by license as shall be found most convenient.

Provisos.

Designation of farms.

2. Any person in whom the exclusive right shall be vested of retailing (to be drank only on the premises) all kinds of spirituous or malt liquors (except taree) in any such town, shall be

called the spirit farmer of such town; and the person in whom shall be vested the exclusive right of retailing (to be drank on the premises) taree in any such town, shall be called the taree farmer of such town; and the person in whom shall be vested the exclusive right of retailing (to be consumed on the premises and only to be taken away in specified quantity) opium and its preparations in any such town, shall be called the opium farmer of such town; and the person in whom shall be vested the exclusive right of retailing ganja and its preparations (only to be taken away in specified quantity) in any such town, shall be called the ganja farmer of such town. Each farmer has only the right to sell within certain defined limits, which shall never exceed the town or station where he may be licensed to sell. The farmer will in no case have a claim to compensation on account of any measures taken to supply troops or camp followers with any kind of liquor or drug; or on account of any license issued for sale of liquor or drug within any cantonment.

Description of monopoly in each farm.

3. The spirit farms shall consist of spirit shops for retailing arrack, shamshoo, rum, and all other spirituous and malt liquors, both of European and country manufacture, (but not taree) to be drank only on the premises. The taree farms shall consist of shops for the retail of taree, whether fresh or fermented, to be drank only on the premises, or removed from the shop only in quantities of not less than three (3) and not more than twelve (12) quart bottles under a pass from the taree farmers, who shall keep a register of such passes. The opium farms shall consist of shops for retailing, and also for smoking, opium and its preparations, such as chundoo and muddut, on the premises; the retail quantity of opium allowed to be taken away from the shop by any single

person at one time and once only within twenty-four hours being restricted to one tola in weight, exclusive of what may be consumed by the same purchaser ou the premises. And the ganja farms shall consist of shops for retailing ganja and its preparations.

Number of shops and their localities.

4. The number of shops in each farm and their distribution shall be as determined yearly by the Commissioner of the division; and localities of the shops shall be fixed by the farmer with the sanction of the Magistrate at each principal sea-port, and of the Deputy Commissioner of the district at other stations.

Sales restricted to what.

5. The several farmers shall not sell any intoxicating liquors or drugs in other places than the shops authorized under the preceding section; and the spirit farmer shall not sell any quantity of intoxicating liquors whatever, to be drank elsewhere than on the premises; and the taree farmer shall not allow any taree to be removed from his shop without a pass in each case; and the opium farmer and ganja farmer shall not give any pass for any opium or ganja sold by them.

Sale to certain persons prohibited.

6. The several farmers shall not allow any European soldier, sailor, woman, or child to enter their shops, or any person armed with any kind of arms or weapons, and shall not sell any quantity of intoxicating liquor or drug to any European, or person of European descent.

Sales on credit prohibited.

7. The several farmers shall not sell any liquors or drugs on credit, and no suits will be received in the Civil Court to recover debts on such account.

Description of shops.

8. All farm shops shall be entirely closed up in the rear, and have only one door for ingress and egress, and shall be substantially built of brick or wood.

Sign board necessary, and after what fashion.

9. The several farmers, licensed retail dealers and tavern keepers shall have their names, the

designation of their farms, the number of their shop and the number and nature of their licenses painted on a board in English letters of not less than two inches in height, shown or exposed over the lintel of the door of each of their shops or of the building wherein the liquor is sold.

Sales when prohibited.

10. All farm shops are to be kept closed and no liquor shall be sold in them between eight o'clock P.M. and day-break, and on Sundays the said shops shall be closed at sun-set.

Farms how rented.

11. The Deputy Commissioners of districts shall annually, one clear month and a half before the expiration of the official year, invite tenders for the leasing of the spirit, taree, opium and ganja farms in their districts, but separately for each farm, and shall advertise, by publication in the "Official Gazette" of the division, the several farms to be leased, and in what towns or places, together with the number of shops allowed, and the upset rent at which each farm is offered for competition. For all taree farms the right is reserved for the Deputy Commissioner to fix the rate at which taree shall be supplied to bakers to bake bread, and the taree farmer shall be required to aid in supplying what is required.

Commissioner to prescribe forms and rules.

12. The Commissioner of the division may prescribe rules for the invitation and acceptance of tenders for such farms, or, where the tenders may be less than the upset rent, for their disposal by public auction or otherwise, and also for the requisition of security for the due fulfilment of the engagements entered into by the farmer. The Commissioner of the division may also regulate the form and conditions of lease, and of the agreement to be signed by the farmer; and any breach of those conditions shall render the lease of the farm liable to annulment, and the payment of all loss and damages to the revenue shall be by the farmer.

13. The rent agreed upon shall be paid in four quarterly instalments in advance, namely, the first on the 15th April or on the day the tender is accepted; the second on the 15th July; the third on the 15th October, and the fourth on the 15th January; in failure of which, the farm will be put up to auction again for the period unexpired, and the original purchaser shall forfeit all profit from the re-sale, and shall make good any loss that may accrue, and the Deputy Commissioner may summarily distrain his property for its recovery, as well as sue for any balance still due; and any sales by the farmer between the date on which the instalment may be due and the date on which it may be paid, or the farm re-sold, will be held to be illegal. **Rent how to be paid.**

14. The farmers shall be allowed to entertain and keep at their own expense such number of abkaree jemadars and peons as the Magistrate at any sea-port, or the Deputy Commissioner of the district at other stations, may deem fit to sanction. The peons shall wear only such badges as the said Magistrate or the Deputy Commissioner of the district may allow. **Farm abkaree officers.**

15. The spirit farmer in any town where there may be a licensed distillery or brewery, may be required to purchase the spirituous or malt liquors wanted by him for local consumption in his shops from such licensed distillery or brewery, if obtainable from it, or from such other distillery as the Commissioner of the division shall direct, and rates of price are to be agreed upon and fixed if necessary by the Deputy Commissioner, according to which the distiller or brewer shall supply such liquor. At towns where there is no such licensed distillery or brewery, the spirit farmer may be required to purchase from the licensed distiller or brewer in the same division, provided the said distiller or brewer agrees to sell spirits, **Spirit farmer to buy from distiller.**

&c., at such rate to the farmer as may be agreed upon with the sanction of the Deputy Commissioner of the district where the distillery is situated.

Rights of owners of taree trees not to be interfered with.

16. The taree farmer shall not interfere in any way with the produce of trees that are private property or with those rented by private persons from Government; and has only the privilege of exclusive retail sale of taree in his shops. No taree farmer or licensed vendor shall interfere with taree drawn for the manufacture of sugar. But any persons, whether the owners of trees or others, who shall sell either fresh or fermented taree within the local limits of a taree farmer's lease, or of a person holding a license, except to the taree farmer or to bakers, after the sale to such bakers has been sanctioned by the Deputy Commissioner, shall forfeit for every such offence a sum not exceeding 200 rupees, and the taree together with the vessels in which it is found shall be liable to confiscation.

Taree licenses.

17. In all towns where the right to sell taree is not farmed out, and in all villages at a distance of not less than four miles from the limits of any taree farmer's privilege, the right to sell taree shall be obtainable by license. For each locality a defined boundary shall be given, and the right to sell taree therein, to be consumed as a beverage on the premises, shall be obtained by the payment of a fixed sum for a license. Any number of shops may, with the sanction of the Deputy Commissioner, be established under the one license. A list shall be kept in the Deputy Commissioner's office of each place where such license may and shall be issued, the boundaries to which the license extends shall be entered in such list, and the rate which will be charged for the license, the same being liable to correction each year.

18. No farmer shall sell any quantity of taree, or drug allowed to be consumed or used elsewhere than on the premises, for the purpose of being so consumed or carried away, greater than the following: taree, 12 quart bottles; opium, or any preparation thereof, one tola weight, which weight, beyond what any person may have consumed on the premises, can only be sold once within twenty-four hours to the same customer, for the purpose of being carried away; ganja and any preparation thereof, five tolas weight. The sale of any such quantity as above shall be deemed to be retail within the meaning of these rules.

Quantity to be consumed elsewhere than on the premises.

19. The opium farmers shall be supplied by the Deputy Commissioner of districts in which they are licensed, with abkaree opium from the Government stores, on application, at the rate of 24 rupees for each seer. Each seer or cake will be cut in two on being delivered. Opium thus supplied to the farmer shall be paid for by him in cash on delivery, and the opium farmer shall vend no other opium except such as is purchased according to this section, or under section 23 or 24.

Opium to be supplied to farmer by whom.

20. It is the duty of the Deputy Commissioner when inviting tenders, or otherwise arranging for the lease of the privilege of selling opium, to estimate, determine and announce the whole quantity of opium which the farmer or license holder will be allowed to purchase from Government, and to sell during the period to which his privilege extends. That quantity will be determined on by the Deputy Commissioner with reference to the estimated consumption of the locality within which the right of sale is to be granted. The monthly quantity sold to the farmer will be restricted to one-twelfth of the whole quantity determined on for one year, and the farmer may by required to purchase monthly such monthly quantity.

Supply how and when to be estimated.

Intoxicating drugs to be sold only by farmers.

21. Any person except a farmer who shall sell any quantity of opium or ganja or any other intoxicating drug, or preparation of any such drug, shall forfeit for every such offence a sum not exceeding 500 rupees; and no person other than a farmer or person licensed, or one possessed of a pass or certificate from a revenue officer of the province, shall have in his house or otherwise in his possession any quantity of opium, or preparation thereof, exceeding one tola in weight, or of ganja, or preparation thereof, exceeding five tolas weight, under pain of confiscation and the further penalties expressed in rule 35.

Exception in favor of druggist, &c.

22. The provisions of these rules, which declare the possession of a greater quantity of opium than one tola in weight to be punishable by a forfeiture, shall not apply to opium acquired under rules 23 or 24, and those provisions, and the provisions of rule 21, shall not apply to the possession or sale of opium, laudanum, or its other preparations for medicinal purposes, as used in the European pharmacopœa, by recognized medical practitioners, chemists and druggists.

Importation of opium from China.

Vide Chief Commissioner's circular dated 18th August 1863.

23. Opium declared to be the produce of the Chinese province of Yunân shall be allowed to be imported by land into Pegu under the following conditions only :—

1.—When any such opium is brought into British Burma the owner or importer shall give notice to the nearest Customs or Revenue officer of the quantity, in order that the same may be reported to the Deputy Commissioner, as the possession of more than one tola's weight is punishable.

2.—Such opium shall only be sold for consumption in British Burma to an opium farmer, after sanction from the Deputy Commissioner of the district to which it is brought or permitted to be taken, and on payment of the same amount

of duty as is payable on opium imported by sea under Act XXX of 1854.

3.—Such opium may be exported by sea from British Burma on payment of the rate of duty levied on Malwa opium exported viâ Bombay, namely, rupees six hundred (600) a chest of 140 lbs. avoirdupois.

4.—Such opium exported by sea from any port in British Burma shall be subject to the laws which prevail in respect to opium at any British port to which it may be carried, and shall only be brought back to British Burma subject to the duty on opium as laid down in Act XXX of 1854.

Confiscated opium how disposed of.

24. Confiscated opium shall be disposed of under the following rules :—

1.—On opium being declared confiscated, it shall be submitted immediately to the examination of the Civil Surgeon of the place, who shall certify that it is either marketable or useless.

2.—In the former case the Civil Surgeon shall value the same, and the Deputy Commissioner shall offer it for sale at the price fixed by the said Civil Surgeon to the renter of the opium farm of the place, together with such additional amount per seer, as excise duty, as shall make the price proportionate to that paid for regular abkaree opium. In the event of the said opium farmer refusing to take it at the price fixed, it may be sold to any person who will give the price it is valued at, with the excise duty.

3.—A certificate shall be given to the purchaser (if other than the renter of the opium farm) of the quantity of opium purchased, and that the said purchaser is allowed to export it from British Burma within three months from the date of the certificate, but not to use it himself or sell it within the province of British Burma. Should the said opium not be so exported within three months

it will again be liable to confiscation. If the full price fixed by the Civil Surgeon cannot be obtained for it within three months, the opium may be disposed of as directed by the Chief Commissioner, on reference from the Commissioner of the division.

4.—In the event of the Civil Surgeon pronouncing the opium to be useless, it shall be immediately destroyed by order of the Deputy Commissioner, in his own presence.

Importation of ganja.

25. Any person importing any ganja shall obtain a pass for the same from the farmer, and from the Collector of Customs at sea-ports, or from the Deputy Commissioners of districts at other stations, stating the quantity and where it is intended to be deposited; and any ganja landed or found in possession without such pass shall be liable to confiscation.

Penalty for permitting drunkenness in shop.

26. Every person licensed to sell spirituous or fermented liquors, or intoxicating drugs, who shall permit drunkenness, riot, or gaming in his shop or within the same house, or who shall permit persons of notorious bad character to meet or remain therein, or shall receive any wearing apparel or other effects in barter or pawn for liquors or drugs, or who pays any servant or laborer any portion of his wages in any intoxicating liquors or drugs, shall forfeit for every such offence a sum not exceeding 200 rupees.

Intoxicating liquor and drugs not to be given in lieu of wages.

License to sell intoxicating drugs restricted.

27. No license shall be given to any person except to the opium and ganja farmer to prepare or sell any quantity of opium or ganja within the limits assigned for such farm or farmer.

Sales of liquor, except by farmer, prohibited without license.

28. Besides the spirit and tarce farmers, no person shall sell spirits or other intoxicating liquors, or tarce, without a license from the Deputy Commissioners of districts; and no license shall be given for the sale of wines, spirituous or malt liquors, except at such towns in the interior as the

Commissioner of the division may approve: and the sale of wines, spirituous or malt liquor, at other places, is prohibited. Provided that this rule shall not apply to commanders or super-cargoes of vessels in harbour in any of the ports of the province who may sell wines or other intoxicating liquors in cask or original cases containing not less than one dozen quart bottles, without license, and nothing in this rule shall apply to the sale by auction of any spirituous liquors, wines or beer purchased by any person for his private use and so disposed of upon such person quitting a place, or after his decease; and provided that persons, or a club, or mess of a regiment leaving a station, may sell their stock of wine, &c., on hand, by private sale or otherwise. Provided also, that nothing is to prevent persons being allowed to sell wine, beer, spirituous liquors and such like, at fairs, balls, race-courses, or similar gatherings, or on board steamers and other passenger boats in the usual course of provision for the comfort of passengers.

Proviso.

29. Any person importing spirits or other intoxicating liquors shall obtain from the Collector of customs or, where there may be no Collector of customs, from the Deputy Commissioner of the district, a pass for the same, and state whether they are for sale or for private use, and where they are intended to be deposited. All spirits and intoxicating liquors landed without such pass, or found in possession and not satisfactorily accounted for, whether in transit through any district or otherwise, shall be liable to confiscation, and the parties in possession, and those conniving at the importation of spirits or other intoxicating liquors, shall be liable to the penalties expressed in rule 35.

Importer to take out pass.

30. The Deputy Commissioners of districts may grant licenses of the following description,

Licenses that can be granted by Deputy Commissioner.

the licenses to be current only during the official year, and in the town in which they are granted:

1.—*Wholesale;* for the vend of wines, spirits, and malt liquors of European or South African and other colonial and foreign manufacture only, in wood or in quantities of not less than twelve quart bottles, or twenty-four pint bottles, corked and sealed after the manner usual with European wines —to be drank elsewhere than on the premises.

2.—*Retail;* for the vend of wines, spirits and malt liquors of European or South African and other colonial, foreign and local manufacture, in quantities of not less than three and not more than twelve quart bottles, or double the number of pint bottles of one and the same description of liquor, corked and sealed after the manner usual with European wines and spirits, to be drank elsewhere than on the premises. Provided that no such retail license shall be given except for such town as the Commissioner of the division shall permit, and that the number for each town shall be limited at the beginning of each year, and be given only on the recommendation of the Magistrate or other officer for the same; and the Magistrate shall recommend such retail licenses to be granted only to respectable shop-keepers and general dealers, who may wish to sell wines and spirits, in addition to other articles of trade.

3.—*Tavern Licenses;* for the vend of wines and other intoxicating liquors to Europeans or persons of European descent (not being soldiers) to be drank only on the premises. Provided that the number of such licensed taverns shall be limited as from time to time may seem proper to the Commissioner of the division, and that at any sea-port no tavern license shall be given by the Deputy Commissioner without the special recommendation of the town Magistrate, where there is such an officer.

Fees on licenses.

31. Persons taking out licenses for the vend

of spirituous and fermented liquors as aforesaid, shall pay for every such license as follows :—

	At Rangoon and Maulmain.	At Akyab and elsewhere.
	Rupees.	Rupees.
Wholesale per annum, ...	150	75
Retail do.	300	150
Tavern do.	500	250

and such fees shall, except in the case of tavern licenses, include the right to sell wines, &c., by auction. Licenses will always terminate on 30th April of each year. Should any person desire to have a separate license to sell liquor by auction, it may be issued on payment of 100 rupees for the privilege in Rangoon or Maulmain, and of rupees 50 in any other place to the end of the official year. The license will extend to the sale only of European wines, spirits and malt liquors, in quantities of not less than one dozen in one lot.

Tavern keeper not to hold other license.

32. No wholesale or retail license shall be granted to licensed tavern keepers for the sale of liquors to be drank elsewhere than on the premises. Provided that where such tavern keepers may have a distinct store or shop for the sale of general articles, which shall be locally separate from their tavern premises, they may be granted a retail license as shop-keepers and dealers, at the recommendation of the Magistrate.

No licensed distiller will be allowed to take out any license for the sale of liquor in less quantities or in any other place than are permitted under the license for the distillery.

Liquor not to be drank on premises of licensed vendors, except farmers.

33. No licensed vendors of spirits or malt liquor—except the spirit farmer and licensed tavern keepers—shall allow any portion of intoxicating liquors sold by them to be drank on the premises; and no single bottle of liquor shall be sold or be allowed to pass from the shop of any retail licensed vendor under the plea of being a sample bottle.

Tavern keepers not to sell to European soldier or children, or natives.

34. No tavern keeper shall sell any intoxicating liquor in any quantity to any European soldier, to any child, or to any native.

Penalties for breach of rules not specially provided for.

35. All breaches of these rules committed beyond the limits of any town having a separate Magistrate, will be punishable by the Deputy Commissioner of the district, or by such officer as he may make the case over to, or who may with the sanction of the Chief Commissioner be empowered to try and decide abkaree cases. Every farmer or licensed vendor or dealer, or any other person who may commit an offence against these rules for which no special penalty is provided, shall forfeit for every such offence a sum not exceeding 250 rupees for the first offence—and shall forfeit a sum not exceeding 500 rupees for every subsequent offence; and if the offending party be a farmer, or licensed vendor, or dealer, or tavern keeper, the Deputy Commissioner may further deprive him of his license. All sums paid in advance by such person shall in such cases be forfeited, and in the case of a farmer the farms shall be re-let in the manner herein-before prescribed.

Disposal of fines.

36. One half of all fines and forfeitures levied from persons convicted of offences against these rules shall be, after realization, paid to the informer through whose information the breach of any rule has been proved; and all fines, forfeitures and penalties leviable under these rules shall, in default of payment, be commutable to imprisonment in the manner provided in section 3 of Act XXIII of 1860, of the Bengal Code, as follows:—

Imprisonment in default of payment of fine.

When any person is sentenced to pay any fine or forfeiture under the said Act, such person in default of payment of the same may be imprisoned by order of the Magistrate for any term not exceeding two months when the amount of the fine or forfeiture shall not exceed fifty rupees, or for any term not exceeding four months when the amount of the fine or forfeiture shall not exceed two hundred rupees; or for any term not exceeding six months when the amount of the fine or forfeiture shall exceed two hundred rupees; but

in any case the imprisonment shall determine upon the payment of the fine or forfeiture adjudged.

37. The distillation of any intoxicating liquor, except under license authorized by the Commissioner of a division, is altogether prohibited under pain of confiscation of all liquor found on the premises or elsewhere pertaining to the distiller, the destruction of the entire apparatus, and a fine not exceeding rupees one thousand (1000). Penalties for illicit distillation.

Nothing in these rules shall be applicable to khoung and other liquor made and used by hill tribes in the hill districts, or in such portions of each district as the Commissioner of the division may determine. The rules not applicable to hill tribes.

38. Nothing in these rules shall be construed to prevent malt and other liquors being sold to be used at clubs, sailors' homes and other such like institutions. Nor to clubs, &c.

39. No license will be granted for the sale of any intoxicating liquors in any Cantonment, and any person conveying into, or found within any Cantonment with any quantity of spirits or other intoxicating liquors in his or her possession, without a pass, or other permission from the Commanding officer, the Cantonment Magistrate or other officer whom the Commanding officer may appoint to grant such pass or permission, shall be liable to have such spirits or intoxicating liquors confiscated and in addition to suffer the penalties expressed in rule 37 of these rules. License in Cantonment prohibited.

This rule is not to be construed to prevent the open sale of liquor on public occasions with the permission of the Commanding officer and under the authority of the Magistrate or other officer duly authorized. No farmer or other person shall be entitled to claim any remission of abkaree revenue by reason of any losses he may state he has suffered with reference to the supply of liquor to troops or camp followers. Proviso.

Commencement of rules.

40. These rules shall commence and have effect on and after the 1st day of May 1866.

FORM OF AGREEMENT TO BE SIGNED BY EACH ABKAREE FARMER.

I, in consideration of being licensed to sell within the town (or village) of , for one year commencing with the first day of May 186 do agree and bind myself as follows:—

I agree to pay into the treasury the following instalments for the farm or permission to sell namely:—

1.	On or before the 15th of April 186		...rupees
2.	do.	do. of July	do.
3.	do.	do. of October	do.
4.	do.	do. of January	do.

I further agree to abide by the printed rules for the abkaree department in British Burma, of which I have received a copy, and of which a copy signed by me is attached to this agreement.

For opium.

I agree to purchase from Government all the opium I require, or all that may be determined on by the Deputy Commissioner under rule 20 of the abkaree rules, at such rate as shall be determined on. I will not ask for more opium than is required for the consumption of the town for which I have the farm, and I will not myself sell any for exportation elsewhere, or connive at its being carried away for sale at other places.

For arrack and shamshoo.

I agree to purchase from the distillery at the whole of the arrack and shamshoo which I may require, paying such rate per gallon as may be declared proper by the Deputy Commissioner.

(Similar for taree and ganja farms.)

In case of my decease, should my heirs and assigns not at once, that is within twenty-four hours, take measures to carry on the said farm, I consent that any instalment paid in ad-

vance may be retained by Government as liquidated damages, and that the Deputy Commissioner may take such measures for the remaining portion of the term of the farm still unexpired as he may deem fit.

NOTIFICATION

By the Chief Commissioner.

Rangoon, dated 18th August 1863.

The following orders relative to the importation by land into British Burma of opium said to be grown in the Chinese province of Yunân or any of the adjoining states, are published for general information :—

Opium imported from Yunân.

1. When any such opium is brought into British Burma, the owner or importer should give notice to the nearest customs or revenue officer of the quantity in order that the same may be reported to the Deputy Commissioner, as the possession of more than half a rupees' weight is punishable under the local abkaree rules.

2. Such opium can only be sold for consumption in British Burma after sanction from the Deputy Commissioner of the district, to which it is brought or permitted to be taken, and on payment of the same amount as is payable on opium imported by sea under Act XXX of 1854.

3. Such opium may be exported by sea from British Burma on payment of the rate of duty levied on Malwa opium exported viâ Bombay—namely, rupees six hundred (600) a chest of 140 lbs. avoirdupois.

4. Such opium when exported by sea from any port in British Burma will of course be subject to the laws, which prevail in respect to opium at any British port, to which it may be carried, and can only be brought back to British Burma, subject to the duty on opium as laid down in Act XXX of 1854.

CIRCULAR No. 776.

Dated 24th April 1866.

Extra Assistant Commissioners and Myo-okes are authorized to try and decide abkaree cases under the existing abkaree rules up to the limit of fine or other punishment.

The following sections of Act XXI of 1856 (Bengal Code) will have effect in British Burma from 1st May 1866.—Circular No. 797, dated 26th April 1866.

Power of abkaree officers to inspect shops.

55. Any abkaree officer may enter and inspect at any time by day or by night the shop or premises in which any licensed manufacturer or retail vendor shall carry on the manufacture of country spirits, or the sale of spirituous or fermented liquors, or intoxicating drugs.

And to arrest persons carrying spirits, &c., liable to confiscation.

56. Any abkaree officer may stop and detain any person carrying any spirituous or fermented liquors or intoxicating drugs liable to confiscation under this Act; and may seize the liquors or drugs with the vessels, packages, or coverings in which they are contained, and the animals and conveyances used in carrying them; and may also arrest the person in whose possession such liquors or drugs are found.

And to arrest unlicensed distillers.

57. Any abkaree officer above the rank of a jemadar of peons may arrest any person having in his possession an unlicensed still, or any spirituous or fermented liquors, or intoxicating drugs, liable to confiscation under this Act, or engaged in the unlawful sale of spirituous or fermented liquors, or intoxicating drugs, and may seize such still, with the materials for working it, and all such liquors and drugs.

Power of abkaree officers to search on information of illicit manufacture or possession.

58. Whenever any abkaree officer, above the rank of a jemadar of peons, shall have good reason to believe, from information given by any person, which information shall be taken down in writing, that spirits are unlawfully manufactured, or that any spirituous or fermented liquors, or intoxicating drugs liable to confiscation under this Act, are kept or concealed in any house, boat, or other place, such officer may, between sunrise and sunset, but always in the presence of a darogah or other officer of police not being under the grade of a jemadar, enter into any such house, boat, or place, and in case of resistance may break open any door, and force and remove any other obstacle to such entry, and may seize and carry away all stills and materials used in the manufacture of such spirits and all such liquors and drugs; and may also arrest the occupier of the house, boat, or place, with all other persons concerned in the manufacture of such spirits, or in the keeping and concealing of such liquors or drugs.

59. The power of seizure, search and arrest, given to abkaree officers by the three last preceding sections, shall, in regard to the seizure and search for contraband opium and the arrest of persons found in possession thereof, be vested also in the officers of the police, customs and revenue departments, according to their respective grades. And it shall further be lawful for the Government to invest the officers of those departments, or of any of them, with the like powers with respect to the seizure of, and search for spirituous and fermented liquors and intoxicating drugs of every description, and the arrest of persons found in possession of them; and all such officers when so empowered, as well as all police, customs, and revenue officers when acting under the authority conferred by this section for the suppression of illicit dealings in opium, shall be held and deemed to be abkaree officers within the meaning of this Act.

Officers of the police, customs and revenue departments may be vested with same powers as abkaree officers.

60. Whenever an abkaree officer shall arrest any person, or seize any still, or any liquors or drugs liable to confiscation under this Act, or enter any house, boat or place for the purpose of searching for any such illicit articles, he shall, within twenty-four hours thereafter, make a full report of all the particulars of such arrest, or seizure, or search, to his official superior, and unless acting under the warrant of the Collector, shall carry the person arrested, or the illicit article seized, with all convenient despatch to the Magistrate for trial or adjudication.

Abkaree officer to report every arrest, seizure, or search to his official superior, and to take the person arrested to the Magistrate for trial, &c.

65. All police officers are required to aid the abkaree officers in the due execution of this Act, upon notice given or request made by such officers; and any police officer who, without lawful excuse, shall neglect or refuse to assist as aforesaid, and any darogah or other officer in charge of a police station, who, on application made by an abkaree officer under section 58 of this Act, shall fail to attend a search himself, or to depute a subordinate officer not being below the grade of a jemadar, shall forfeit for such offence a sum not exceeding five hundred rupees.

Police officers to assist abkaree officers.

Penalty.

* * * * *

Extract from Chief Commissioner's Circular No. 797, dated 26th April 1866, para. 3.

Thoo-gyees and kyay-dan-gyees will be considered as abkaree officers. The former having rank above that of a jemadar of peons. Every yazawut goung has the powers and duties laid down for police officers in sections 59 and 65 as above quoted.

CHAPTER II.—CUSTOMS.

ACT XXX OF 1854.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

(Received the assent of the Governor General on the 2nd of December 1854.)

An Act to provide for the levy of duties of customs in the Arakan, Pegu and Tenasserim provinces.

Preamble.

Whereas it is expedient that the Arakan, Pegu and Tenasserim provinces should be placed, as nearly as possible, in the same position with the provinces of Bengal and Orissa in respect to the levy of duties of sea customs; that duties of river customs should be levied on the nothern frontier of Pegu; that the floating down of teak timber, and the duties payable thereon, in certain of these provinces, should be regulated by law; and that the exportation of munitions of war from any of these provinces into foreign states should be prohibited; it is enacted as follows:—

Acts repealed.

1. So much of Act VII of 1848 as excepts the ports of Arakan and Tenasserim from the operation of section 3, Act VI, of 1848, and so much of sections 18, 19 and 25, of Act I of 1852 as relates to the said ports, are repealed.

Duty on imports by sea.

2. With the exceptions mentioned in section 3 of this Act, all goods imported by sea into any part of the Arakan, Pegu and Tenasserim provinces, from any port not subject to the Government of the East India Company, or from the port of Aden, or from any port in the Straits of Malacca, shall be charged with the same rates of duties as those which are or shall be charged on

goods of the same description imported from the same ports into the provinces of Bengal and Orissa.

3. Salt imported by sea into any part of the Arakan, Pegu and Tenasserim provinces, shall be charged duty at the rate of eight annas a maund; provided that it shall be, in respect to Arakan, in the power of the Governor or Lieutenant Governor of Bengal—and in respect to Pegu and Tenasserim, in the power of the Governor General of India in Council, to fix from time to time, upon salt imported by sea, any lower rate of duty that may be thought proper, in order to equalize the rate of customs duty upon salt imported by sea into any of the said provinces with the rate of excise duty on salt manufactured in the same province. Opium imported by sea into any part of the said provinces shall be charged duty at the rate of twenty-four rupees a seer, excepting opium purchased at a Government sale in Calcutta, which shall be free: provided that no opium of any description shall be landed in the provinces aforesaid without a pass from the Collector of customs at the port of landing, in default of which such opium shall be seized and confiscated.

Special duty on salt imported by sea.

Special duty on opium imported by sea.

4. All goods, except teak timber, exported by sea from any part of the Arakan, Pegu, and Tenasserim provinces, to any port not subject to the Government of the East India Company, or to the port of Aden, or to any port in the Straits of Malacca, shall be charged at the same rates of duty as those which are or shall be charged upon goods of the same description exported to the same ports from the provinces of Bengal and Orissa. Provided that when goods, which have paid river frontier import duty under section 6 of this Act, are exported by sea under a certificate of the Collector of river frontier customs, passed

Duty on exports by sea.

by the Collector of sea customs, the amount of river frontier import duty so paid shall be accepted in full payment of the sea export duty chargeable under this section.

Bengal customs law to apply.

5. All the laws and rules relating to the levy of duties of customs, which are or shall be in force in the provinces of Bengal and Orissa, shall apply to the levy of duties of sea customs in the Arakan, Pegu and Tenasserim provinces: provided that the powers which, in the provinces of Bengal and Orissa, are or shall be vested in the Governor or Lieutenant Governor of Bengal, shall be vested in respect of Pegu and Tenasserim, in the Governor General of India in Council, and that the powers which, in the provinces of Bengal and Orissa, are or shall be vested in the Board of Revenue, shall, in respect of Pegu and Tenasserim, be vested in the Commissioners of those provinces respectively.

River frontier duty on imports.

6. All goods, excepting bullion and coin, precious stones and pearls, cotton, wool, grain and pulse, and living animals, which shall all be free—and excepting spirituous liquors and teak timber, for which special rules are provided—imported by the river Irrawaddy or the river Sittang from beyond the northern frontier of Pegu shall be charged, on passing the frontier custom house on the Irrawaddy, or the frontier custom house on the Sittang, with a duty of customs of ten per per cent. *ad valorem*. Spirituous liquors, on passing either of the said custom houses, shall be charged import duty at the rate of one rupee a gallon. Teak timber, on passing either of the said custom houses, shall be charged import duty at such rate as shall be fixed from time to time by the Governor General of India in Council, in order to equalize the rate of duty charged on foreign teak timber so imported with the price

Special duty on spirits.

Special duty on teak.

that may be fixed from time to time for permission to appropriate and remove teak timber of the same description growing in the forests of Pegu, which are State property.

Special duty on teak in Tenasserim.

7. Teak timber, floated down any river in the Tenasserim province, shall be charged with the same duty as that chargeable for the time being under section 6 on teak timber passing a river frontier custom house, and this duty shall be levied at such places on the said rivers as the Governor General of India in Council shall appoint.

Rules for teak floated.

8. It shall be lawful for the Governor General of India in Council, in respect of the Pegu and Tenasserim provinces, to promulgate such rules for the time and manner of the floating of teak timber within the said provinces respectively, as may to him seem fit; and to prescribe what descriptions of teak timber may lawfully be floated, and what descriptions of teak timber may not lawfully be floated, within the said provinces respectively. And all teak timber found floating contrary to such rules or orders shall be confiscated.

River frontier duty on exports.

9. Goods of the descriptions specified in the schedule annexed to this Act, exported beyond the northern frontier of Pegu, by the river Irrawaddy or the river Sittang, shall be charged export duty on passing the frontier custom house on the Irrawaddy, or the frontier custom house on the Sittang, according to the rates fixed in the said schedule; and the said schedule shall be taken to be a part of this Act.

Value of goods chargeable *ad valorem*.

10. The Governor General of India in Council shall have power to fix from time to time the valuation at which any article liable to *ad valorem* duty on passing a river frontier custom house shall be valued in order to the assessment of duty;

and in respect of goods passing such a custom house, which are not so valued, in case of dispute respecting their value the Collector of customs of the station shall have power to call on the possessor of the goods to assign the value thereof; and thereupon the Collector of customs shall have power, if he pleases, to purchase such goods on account of Government, at the value so assigned, paying for such goods forthwith, after deducting the duty due upon them according to the value so assigned.

Special rule for arms, ammunition and sulphur.

11. Arms, ammunition, or sulphur shall not be imported by sea into the Arakan, Pegu or Tenasserim provinces, nor exported by land or by river into any foreign territory, from any of those provinces, without a license from a Collector of customs or other officer having charge of the collection of customs; and such articles, if an attempt be made so to import or export them, shall be confiscated.

Commencement of Act.

12. This Act shall commence and take effect from and after the first day of January 1855.

SCHEDULE

REFERRED TO IN SECTION 9, OF THIS ACT.

Enumeration of goods.	*Rate of export duty.*
Rice, ...	...An anna a basket.
Paddy, ...	...Half an anna a basket.
Salt, ...	...Four annas a maund,
Betel-nut, ...	...Ten per cent. *ad valorem.*
Ngapee; dried, smoked, salted and preserved fish, and fish-roes,	Ten per cent. *ad valorem.*

ACT XXV OF 1865.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 14th July 1865.)

An Act to amend the law relating to the duties of customs on goods imported and exported by sea.

Preamble.

Whereas it is expedient to amend the law relating to customs duties; it is enacted as follows :—

Act XVII of 1865 repealed.

1. Act XVII of 1865 is repealed.

Customs duties to be levied as prescribed in the schedules annexed to this Act.

2. In lieu of the customs duties authorized to be charged in Act VII of 1859 *(to alter the duties of customs on goods imported or exported by sea)*, Act XXIII of 1859 *(to alter the rates of duty on goods imported or exported by land from certain foreign territories into or from the presidencies of Madras and Bombay respectively)*, Act X of 1860 *(to amend Act VII of* 1859 *to alter the duties of customs on goods imported or exported by sea)*, Act XI of 1862 *(to amend Act X of* 1860, *to amend Act VII of* 1859*)*, Act XXIII of 1862 *(to amend Act XI of* 1862*)*, and Act XXIII of 1864 *(to amend the law relating to the customs duties on goods imported by sea)*, there shall be levied and collected the duties specified in the two schedules A and B annexed to this Act. Provided always that nothing herein contained shall be deemed to alter the existing duties upon salt and opium, or to authorize the levy of duties in any free port, or to affect the provisions of Act VI of 1848 *(for equalizing the duties on goods imported and exported on foreign and British bottoms, and for abolishing duties on goods carried from port to port in the territories subject to the*

Government of the East India Company), or to affect the provisions of the consolidated customs' Act.

Operation of Act.

3. So far as regards the customs duty on the export of saltpetre, authorized to be levied by schedule B hereunto annexed, this Act shall take effect as if it had been passed and had received the assent of the Governor General on the ninth day of March 1865; and so far as regards the alterations made by this Act in schedule A and B of the customs duties which were authorized to be levied by Act XVII of 1865, this Act shall take effect as if it had been passed and had received the assent of the Governor General on the first day of April 1865, and all duties which may have been levied from and after that date, other than those authorized to be levied according to schedule B annexed to this Act, shall be refunded. But save as aforesaid, this Act shall take effect from the fourteenth day of July 1865.

Short title.

4. This Act shall be cited as "The Indian Customs Duties' Act of 1865."

SCHEDULE A.

Rates of duty to be charged on the following goods imported by sea into any port in British India, not being a free port :—

1.	Bullion and coin	...Free.
2.	Precious stones and pearls ...	... „
3.	Grain and pulse	... „
4.	Horses and other living animals ...	... „
5.	Ice	... „
6.	Coal, coke, bricks, chalk, and stones	... „
7.	Cotton wool	... „
8.	Wool	... „
9.	Flax	... „
10.	Hemp	... „
11.	Jute	... „
12.	Hides and skins, raw	... „
13.	Books	... „
14.	Paper	... „
15.	Maps, prints, music, and works of art	... „

16. Seeds when imported by any public society for gratuitous distribution ... Free.
17. Agricultural implements ... ... „
18. Firewood ... ... „
19. Machinery used exclusively for purposes of agriculture, navigation, mining, or for railway purposes, and materials forming necessary component parts of such machinery ... ... „

And the officer in charge of the custom house, subject to the orders of the Local Government acting under the general instructions of the Government of India, shall decide what articles come within the definition of such machinery, or materials forming component parts thereof, and such decision shall be final in law.

20. Military and other regulation uniforms and accoutrements when imported for private use by persons in the public service ... ... Free.
21. Guano and manures of all kinds... ... „
22. Bottles ... ... „
23. Wines and liqueurs...One rupee the imperial gallon.
24. Porter, ale, beer, cider, and other similar fermented liquors ... } One anna the imperial gallon.
25. Spirits ... ... { Three rupees the imperial gallon, and the duty to be rateably increased as the strength exceeds London proof.

Provided that ten per cent. *ad valorem* shall be charged on all spirits used exclusively in arts and manufactures, or in chemistry, subject to such rules as the Local Governments shall from time to time prescribe, for ascertaining that such spirits are unfit for use as a beverage, and incapable of being converted to that purpose. And the officer in charge of the custom house, subject to the general instructions of the Local Government, shall decide what spirits fall within the proviso, and his decision thereon shall be final in law.

26. Iron (which shall not be taken to include ironmongery, cutlery, or hardware) ... } One per cent. *ad valorem.*
27. Hops ... ... One per cent. *ad valorem.*

28.	Tobacco, whether manufactured or not manufactured	Ten per cent. *ad valorem.*
29.	Piece goods	Five per cent. *ad valorem.*
30.	Twist	Three and a half per cent. *ad valorem.*
31.	All other articles not included in the above enumeration	Seven and a half per cent. *ad valorem.*

SCHEDULE B.

Rates of duty to be charged upon goods exported by sea to any foreign port, as defined in the consolidated customs' Act, from any port in British India :—

1.	Bullion and coin	...Free.
2.	Precious stones and pearls ...	... „
3.	Horses and other living animals ..	... „
4.	Rum	... „
5.	Spirits	... „
6.	Tobacco, and all preparations thereof	... „
7.	Cotton wool	... „
8.	Flax	... „
9.	Hemp	... „
10.	Books	... „
11.	Maps, prints, and works of art ...	... „
12.	Teak timber	.. „
13.	Coal	... „
14.	Iron	... „
15.	Jute	... „
16.	Coffee	... „
17.	Tea	... „
18.	Sugar	... „
19.	Wool	... „
20.	Hides and skins, raw	... „
21.	Raw silk and silk chussum ...	... „
22.	Grain and pulse of all sorts ...Two annas the Indian maund	Of forty seers of eighty tolas to the seer.
23.	Saltpetre ...One rupee the Indian maund	
24.	Indigo ...Three rupees the Indian maund	
25.	Lac dye and shell lac...	Four per cent. *ad valorem.*
26.	All country articles not enumerated or named above.	Three per cent *ad valorem.*

THE FOLLOWING REVISED TABLE EXHIBITING THE RENT OF GOODS LODGED IN THE BONDED WAREHOUSE AT RANGOON, CHARGEABLE FROM THE 11TH SEPTEMBER 1865, WAS SANCTIONED BY HIS EXCELLENCY THE VICEROY AND GOVERNOR GENERAL IN COUNCIL IN THE FINANCIAL DEPARTMENT, BY LETTER No. 2722, DATED 30TH SEPTEMBER 1866.

	Per Month.		
	Rs.	A	P.
BEER—whole pipe, butt, or puncheon,	1	8	,,
,, half pipe, or hogshead,	,,	12	,,
,, quarter pipe,	,,	6	,,
Large cask containing glass or earthenware,	2	,,	,,
Tierce containing glass or provisions,	1	2	,,
Large crate containing 12 dozen bottles,	,,	9	,,
Smaller crate containing 8 or 6 dozen bottles or more or less,	,,	8	,,
WINES—butt or pipe,	2	,,	,,
,, half pipe or hogshead,	1	,,	,,
,, quarter pipe,	,,	8	,,
,, chest above 12 dozen size,	1	,,	,,
,, chest of 12 dozen size, or above six dozen,	,,	12	,,
,, chest of 6 dozen size, or above 3 dozen,	,,	6	,,
,, quarter chest or 3 dozen,	,,	4	,,
,, all boxes under 3 dozen and above 1 dozen size—each,	,,	2	,,
,, 1 dozen box,	,,	1	6
SPIRITS—per pipe,	2	8	,,
,, per hogshead,	1	8	,,
,, in bottle—case of 1 dozen,	,,	2	,,
,, above 1 and under 3 dozen;	,,	3	,,
,, 3 dozen,	,,	4	,,
,, above 3, under 6 dozen,	,,	6	,,
,, 6 dozen,	,,	8	,,
,, for every dozen in excess of 6 dozen	,,	1	6
BRITISH PIECE GOODS—per case above 12 dozen size,	1	,,	,,
,, ,, ,, per case of 12 dozen size, or above 6 dozen,	,,	12	,,
,, ,, ,, per case of 6 dozen size or above 3 dozen,	,,	6	,,
,, ,, ,, per case of 3 dozen size or less,	,,	4	,,
,, ,, ,, per bale of size of bale of twist of 400 to 500 lbs.	,,	12	,,
,, ,, ,, per bale of smaller size,	,,	8	,,
TWIST OF ALL SORTS—per bale of 400 or 500 lbs.	,,	12	,,
,, ,, ,, per bale of smaller size	,,	8	,,
CANVAS—per bale,	,,	6	,,
SILK—per bale,	,,	12	,,
SILK PIECE GOODS—per case,	,,	12	,,
INDIGO—per chest,	,,	12	,,
OPIUM—per chest,	,,	12	,,
COTTON, HEMP, JUTE AND SAFFLOWER { per screwed bale of 300 lbs.	,,	8	,,
SUGAR, RICE AND SEEDS—per 100 br. mds.	5	,,	,,
CUTCH—per 100 br. mds.	4	,,	,,
SHELL LAC AND LAC DYE—per chest,	,,	8	,,
VERMILLION—per box,	,,	4	,,

	Per Month.		
	Rs.	A.	P.
ARSENIC—per box, ...	,,	6	,,
BRASS LEAF—per box.	,,	4	,,
CHINA PAPER—per case, ...	,,	4	,,
CHINA CASES OF NANKIN, CASSIA, CAMPHOR, SILKS AND ANNISEED, &c. } per case, ...	,,	6	,,
GINGER AND TURMERIC—per 100 br. mds.	5	,,	,,
BETELNUT—per br. mds.	,,	1	,,
CLOVES—per br. mds.	,,	2	,,
COFFEE, PEPPER, CARDAMUM, CUMMIN SEED, ANNISEED IN BAGS OR BALES } per br. mds. ...	,,	2	,,
SUGAR, SPICES, and any other similar articles in hogsheads, per hhd.	1	,,	,,
,, ,, in tierces—per tierce, ...	,,	8	,,
TEA—per whole chest, ...	,,	4	,,
,, per smaller box	,,	2	,,
SUGAR CANDY—per tub, ...	,,	1	,,
PAINT—per keg 56 lbs.	,,	1	,,
TURPENTINE, LINSEED, or other vegetable oils—per jar, ...	,,	4	,,
ALL CORDAGE—per cwt....	,,	2	,,
ROSIN OR DAMMER—per br. mds.	,,	2	,,
TOBACCO—unmanufactured—per 1 md. bale,...	,,	4	,,
GUNNIES—per large bale, ...	1	,,	,,
,, per smaller bale, ...	,,	12	,,
COW HIDES—per large bale, ...	1	8	,,
,, ,, per smaller bale	1	,,	,,
GOAT SKINS—per bale, ...	1	,,	,,
QUICKSILVER—per br. mds.	,,	4	,,
TIN PLATES—per box, ...	,,	1	,,
METALS—per br. mds.	,,	1	,,
SALMON, HERRINGS, or other fish—per keg, ...	,,	1	,,

THE FOLLOWING SCHEDULES OF RATES WILL BE CHARGED ON GOODS, &c., LANDED OR SHIPPED AT THE PIERS IN THE PORT OF AKYAB.

CUSTOM HOUSE PIER.	Rs.	A	P.
Every vessel using the pier to be charged per day or portion of day, ...	20	,,	,,
(Room invariably to be made for the mail steamers.)			
PASSENGERS with hand parcels, travelling bag, hat boxes, &c., &c., to pass free.			
CASES—of one dozen and under, and packages of similar size, or half maund in weight or under—each,...	,,	1	,,
,, above 1 dozen and up to 3 dozen or packages from half to 1 maund weight—each, ...	,,	2	,,
CASES OR CASKS—above 3 dozen and up to 6 dozen, or packages &c., from 1 maund to 2 maunds weight, ...	,,	4	,,
,, ,, ,, above six and up to 12 dozen, or packages &c., from 2 to 4 maunds, ...	,,	8	,,
HOGSHEADS—each, ...	,,	12	,,
PIPES—each, ...	1	,,	,,
LARGE CASKS OF GLASS OR EARTHENWARE, ...	1	,,	,,
FOR USE OF CRANE—at per cwt.	,,	4	,,
HORSES—each, ...	,,	8	,,
PONIES—each, ...	,,	4	,,
CRANE—to land horse, ...	,,	8	,,

BAZAAR PIER.	Rs.	A.	P.
Every vessel using the pier, per day or portion of day, ...	16	,,	,,
PASSENGERS and their hand parcels—free.			
COCOANUTS—per 100, ...	,,	4	,,
OIL—per half maund, ...	,,	1	,,
PLANKS—1 inch, ...	,,	1	,,
,, 2 inches thick, ...	,,	2	,,
,, 4 inches thick, ...	,,	3	,,
MATS—per 10, ...	,,	1	,,
CASKS AND CASES—of 1 dozen, ...	,,	1	,,
,, ,, of 3 dozen, ...	,,	2	,,
,, ,, of 6 dozen, ...	,,	3	,,
,, ,, of 12 dozen, ...	,,	6	,,
HOGSHEADS—each, ...	,,	8	,,
PIPES—each, ...	,,	12	,,

CUSTOM HOUSE WHARF RULES,

To take effect on and after the 1*st September* 1861.

1. All goods landed on the custom house wharf or brought there for shipment, may be left on the wharf or in the open shed free of charge for 24 hours only.

Goods may be left free of charge for 24 hours.

2. Packages left on any part of the wharf or in the open shed for more than 24 hours will be charged at the same rates as those deposited in the closed sheds, as follows :—

Packages left for more than 24 hours to be charged for.

3. For every package, up to 6 cubic feet in size, placed in the closed sheds a charge of 2 annas a day will be made, and for every package above 6 cubic feet the charge will be 4 annas a day, fractions of days to be reckoned as whole days.

Rates of charge.

4. If a package be left in the closed sheds for more than 6 days, the above rates will be doubled for the whole time.

Rates, if left in sheds for more than six days.

5. All goods left on the wharf or deposited in the sheds are at the risk of the owners, and the officer in charge of the wharf will not be responsible for losses.

Goods on the wharf to be at the risk of the owners.

Charges collected by Collector of customs.

6. The above charges will be collected by the Collector of customs.

Statement of Government and private cargo to be furnished by Commanders of Government vessels.

Collectors of sea customs in British Burma will require each commander of a Government transport or steamer—other than a man-of-war—to deliver a statement of all the cargo brought in the said vessels, distinguishing Government freight from goods supplied on private account.—Circular No. 51, dated 11th April 1865.

PART V.—LOCAL INSTITUTIONS AND FUNDS.

SECTION I.—MUNICIPAL.

MUNICIPAL ACT.

THE FOLLOWING SECTIONS OF ACT XIV OF 1856 WERE INTRODUCED INTO THE TOWN OF RANGOON ON THE 26TH OF FEBRUARY 1862.

Depositing dirt on streets, &c.

12. Whoever deposits, or permits his servants to deposit, any dust, dirt, dung, ashes, garden, kitchen, or stable refuse, or filth of any kind, or any animal matter, or any broken glass or earthenware, or other rubbish, in any street, or on any public quay, jetty, ghaut or landing-place, or on any part of a river bank, or of the sea-shore, whether above or below high water mark, except in such places and in such manner, and at such hours as shall be fixed by the Magistrate, shall be liable to a penalty not exceeding ten rupees.

Allowing sewerage to flow on streets.

13.* Whoever causes or allows the water of any sink or sewer, or any other offensive liquid matter belonging to him or being on his land, to run, drain or be thrown or put upon any street, or causes or allows any offensive matter from any sewer or privy to run, drain, or be thrown into a surface drain in any street, shall be liable to a penalty not exceeding ten rupees.

Future obstructions in streets or roads.

19. Whoever builds any wall, or erects or sets up any fence, rail, post, or other obstruction or encroachment, in any public street or road, or in or over any open drain, sewer, or aqueduct along the side of any such street or road after the passing of this Act, shall be liable to a penalty not exceeding one hundred rupees and the Magistrate shall have power to remove any such obstruction

Power to remove.

NOTE.—The sections marked thus* have been extended to the towns of Prome and Thayet-myo.

or encroachment, and the expense of such removal shall be paid by the person erecting the same, and shall be recoverable as hereinafter provided.

Temporary obstructions on occasions of festivals, &c.

Nothing herein contained shall prevent the Magistrate, from allowing any temporary erections in any public street or road on occasion of festivals and ceremonies.

Taking up pavements.

20. Whoever displaces, takes up, or makes any alteration in the pavement, flags, or other materials, or in the fences or posts of any public street, without the consent in writing of the Magistrate or without other lawful authority, shall be liable to a penalty not exceeding fifty rupees.

Names of streets.

28. The Magistrate may from time to time, cause to be put up or painted on a conspicuous part of some house, building, wall, or place at or near each end, corner, or entrance of every street, the name by which such street is to be known; and whoever destroys, pulls down, or defaces any such name, or puts up any name different from that put up by order of the Magistrate, shall be liable to a penalty not exceeding twenty rupees.

Penalty on occupier of a house not removing filth.

40. *Whoever, being the occupier of a house in or near any street, keeps or allows to be kept for more than twenty-four hours, or otherwise than in some proper receptacle, any dirt, dung, bones, ashes, night-soil, filth, or any noxious or offensive matter, in or upon the roof of such house, or in any out-house, yard, or ground attached to and occupied with such house, or suffers such receptacle to be in a filthy or noxious state, or neglects, to employ proper means to remove the filth therefrom and to cleanse and purify the same, shall be liable to a penalty not exceeding fifty rupees.

Filthy houses, &c.

41. *Whoever, being the owner or occupier of any house, building or land in or near any street, whether tenantable or otherwise, suffers the same

NOTE.—The sections marked thus* have been extended to the towns of Prome and Thayet-myo.

to be in a filthy and unwholesome state, or overgrown with rank and noisome vegetation, shall be liable to a penalty not exceeding fifty rupees, and to a penalty not exceeding five rupees for every day after conviction for such offence during which the offence is continued.

Power to trim hedges and trees bordering roads.

42. The Magistrate may give notice to the owner or occupier of any land to trim or prune the hedge thereof bordering any public road or street, so that they may not exceed the height of seven feet from the level of the road; and to cut and trim all trees over-hanging any public road or street, so as to obstruct the passage or to cause damage thereto; and in the event of such notice not being complied with within eight days from the date thereof, the Magistrate may cause the said hedges and trees to be cut and trimmed in the manner required, and the expense incurred by the Magistrate in respect thereof shall be paid to them by the owners, and shall be recoverable as hereinafter provided.

Building over sewers, &c., not to be erected without consent of the Magistrate.

50. No building shall be newly erected over any sewer or drain, without the Magistrate's written consent, and if any building be so erected, the Magistrate may cause the same to be pulled down, or otherwise dealt with as he may think fit; and the expenses thereby incurred shall be paid by the person offending, and be recoverable as hereinafter provided.

Throwing rubbish into sewers.

60.* Whoever throws or puts, or permits his servants to throw or put, any earth, dirt, ashes, garden, kitchen, or stable refuse, or any broken glass or earthenware, or other rubbish, or, until suitable sewers shall be provided, any night-soil, into any sewer or drain, or into any drain communicating therewith, shall be liable to a penalty not exceeding fifty rupees.

NOTE.—The sections marked thus * have been extended to the towns of Prome and Thayet-myo.

Neglecting to loose private privy.

63.* The owner or occupier of any house or building having a privy erected on his premises, shall have such privy shut out by a sufficient wall or fence from the view of persons passing by.

Branch drains, privies, &c., to be under control of Magistrate and to be kept in good order by owners.

64. All branch drains, as well within as without the lands or buildings to which they belong, and all privies and cess-pools in or near any street, shall be under the survey and control of the Magistrate, and shall be altered, repaired, and kept in proper order at the costs and charges of the owners of the lands and buildings to which the same belong, or for the use of which they are constructed or continued; and if the owner of any land or buildings to which any such drain, privy, or cess-pool belongs, neglect, during eight days after notice in writing for that purpose, to alter, repair, and put the same into good order in the manner required by the Magistrate, the Magistrate may cause such drain, privy, or cess-pool to be altered, repaired, and put in good order; and the expense incurred by the Magistrate in respect thereof shall be paid by the owner, and shall be recoverable as hereinafter provided.

If owners neglect, Magistrate may cause the same to be done and charge the owners with the expense.

Penalty for persons making or altering drains, &c., contrary to the orders of the Magistrate.

65. If any such drain, privy, or cess-pool is constructed, after the passing of this Act, contrary to the directions and regulations of the Magistrate, or contrary to the provisions of this Act; or, if any person, without the consent of the Magistrate, constructs, rebuilds, or unstops, any drain, privy, or cess-pool which has been ordered by them to be demolished or stopped up, or not to be made, every person so doing shall be liable to a penalty not exceeding fifty rupees; and the Magistrate may cause such amendment or alteration to be made in any such drain, privy, or cess-pool as he thinks fit; and the expense thereof shall be paid by the person by whom such

NOTE.—The sections marked thus * have been extended to the towns of Prome and Thayet-myo.

drain, privy, or cess-pool was improperly constructed, rebuilt, or unstopped, and shall be recoverable from him as hereinafter provided.

Inspection of drains, privies and cess-pools.

66. The Magistrate, or any officer appointed by him for the purpose, may inspect any such drain, privy, or cess-pool, and for that purpose, at all reasonable times in the day, time, after twenty four hours' notice in writing to the occupier of the premises to which such drain, privy, or cess-pool is attached, may enter upon any lands and buildings with such assistants and workmen as are necessary, and cause the ground to be opened where he may think fit, doing as little damage as may be, and if, upon such inspection, it appears that the drain, privy, or cess-pool is not in good order and condition, or that it has been constructed after the passing of this Act contrary to the provisions thereof; the expenses of such inspection shall be paid by the person to whom such drain, privy, or cess-pool may belong; but if the drain, privy, or cess-pool be found to be in proper order and condition and not to have been constructed in violation of the provisions of this Act, the Magistrate or officer as aforesaid shall cause the ground to be closed and made good as soon as may be; and the expenses of opening, closing and making good such drain, privy, or cess-pool shall in that case, be defrayed by the Magistrate. Provided always, that nothing hereinbefore contained shall authorize an entry into the zenanas or private apartments appropriated to the females of Hindoo and Mussulman families for the purpose of such inspection, except by the agency of women.

Proviso.

Service of notice on owners and occupier of buildings and lands.

67. Where any notice is required by this Act to be given to the owner or occupier of any building or land, such notice, addressed to the owner or occupier as the case may require, may be served on the occupier, of such building or land, or

left with some adult male member or servant of his family, or if the notice cannot be so served, or if there be no occupier, may be put up on some conspicuous part of such building or land, and it shall not be necessary in any such notice to name the occupier or the owner. Provided always, that when the owner and his residence are known to the Magistrate, it shall be his duty, if such owner be residing within the town or station under his authority, to cause every notice, required to be given to the owner of any building or land, to be served on such owner or left with some adult male member or servant of his family; and if the owner be not resident within the town or station, he shall send every such notice by the post, addressed to his residence.

Magistrate in default of owner or occupier, may execute works and recover expenses.

68. Whenever, under the provisions of this Act, any work is required to be executed by the owner or occupier of any building or land, and default is made in the execution of such works, the Magistrate, whether any penalty is or is not provided for such default, may cause the work to be executed; and the expense thereby incurred shall be paid to him by the person by whom such work ought to have been executed, and shall be recoverable as hereinafter provided.

Power to bring charges on occupier, who may deduct the same from his rent.

69. If the defaulter be the owner of the building or land, the Magistrate may, by way of additional remedy, whether any action or proceeding has been brought or taken against any such owner or not, require the payment of all or any part of the expenses payable by the owner for the time being from the person who then or at any time thereafter occupies the building or land under such owner, and, in default of payment thereof by such occupier on demand, the same may be levied by distress of the goods and chattels of such occupier; and every such occupier shall be entitled to deduct from the rent payable by him

to his landlord so much as is so paid by or recovered from him in respect of any such expenses.

Proceedings in case of tenants opposing the execution of this Act.

72. If the occupier of any building or land prevent the owner thereof from carrying into effect, in respect of such building or land, any of the provisions of this Act, after notice of his intention so to do has been given by the owner to such occupier, any Magistrate, upon proof thereof, may make an order in writing requiring such occupier to permit the owner to execute all such works with respect to such building or land as may be necessary for carrying into effect the provisions of this Act; and if, after the expiration of eight days from the date of the order, such occupier continue to refuse to permit such owner to execute such works, such occupier shall for every day during which he so continues to refuse, be liable to a penalty not exceeding fifty rupees; and every such owner, during the continuance of such refusal, shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

Fouling water by bathing.

Washing.

Throwing rubbish, &c.

76. Whosoever, except as permitted by the Magistrate, bathes in any stream, tank, reservoir, well, cistern, conduit or aqueduct, or washes or causes to be washed therein, any horse, dog, or other animal, or any wool, cloth, or wearing apparel, or any utensil for cooking or other purposes, or leather, or the skin of any animal or other foul or offensive thing; or throws, puts, or casts, or causes to enter therein any animal, or any gravel, stone, dust, or rubbish, or any dirt, filth, or other noisome or offensive matter or thing; or causes or suffers to run, drain, or be brought thereinto, the water of any sink, sewer, drain, engine, or boiler, or any other unwholesome or offensive liquid matter or thing belonging to him or flowing from any house or building

Allowing drains, &c., to flow.

or from any ground occupied by him; or does any thing whatsoever whereby any such water shall be in any degree fouled or corrupted shall be liable to a penalty not exceeding fifty rupees.

Dangerous places near streets to be repaired or inclosed.

90. If any building, tank, well, or hole, or other place, be, for want of sufficient repair, protection, or enclosure, dangerous to passengers, the Magistrate shall cause the same to be repaired, protected, or enclosed so as to prevent danger therefrom; and the expenses of such repair, protection, or enclosure, shall be paid to the Magistrate by the owner of the property so repaired, protected, or enclosed, and shall be recoverable as hereinafter provided.

Markets, slaughter houses, &c., to be properly drained.

95. Every owner, occupier, or farmer of any market for the sale of butcher's meat, poultry, fish, or vegetables, or of any slaughter-house within the prescribed limits, shall cause such drains to be made therein as shall be considered sufficient by the Magistrate, and (if required so to do by the Magistrate) shall cause all the floors and drains to be paved with stone or burnt brick, and shall also cause a supply of water to be provided sufficient for keeping such market or slaughter-house in a clean and wholesome state; and if such owner, occupier, or farmer, after notice in writing given to him by the Magistrate, that such market or slaughter-house is defective in any of the said particulars, and requiring him to remedy the defect specified within a reasonable time, which shall not be less than one month, makes default therein, he shall be liable to a penalty not exceeding fifty rupees for every day during which such default is continued.

Power of Magistrate to enter and inspect slaughter-houses shops, &c., and to seize unwholesome articles exposed for sale.

99. The Magistrate, or any person appointed by him for that purpose, may at all reasonable times, with or without assistants, enter into and inspect any market, building, shop, stall, or place used for the sale of butchers' meat, poultry, fish,

or vegetables, or as a slaughter-house, and may examine any animal, carcase, meat, poultry, game, flesh, fish, or vegetable which may be therein; and in case any animal, carcase, meat, poultry, game, flesh, fish, or vegetables appear to be intended for the food of man and to be unfit for such food, may seize the same; and if it appear to the Magistrate, upon the evidence of a competent person, that such animal, carcase, meat, poultry, game, flesh, fish, or vegetables is unfit for the food of man, he shall order the same to be destroyed or to be so disposed of as to prevent its being exposed for sale or used for such food, and the owner thereof, or the person in whose possession the same is found, shall be liable to a penalty not exceeding one hundred rupees.

Recovery of fines and penalties.

137. Every fine or penalty imposed under or by virtue of this Act, or any bye-law made in pursuance thereof, may be recovered by summary proceeding before the Magistrate.

Police officers to report offence to Magistrate and to arrest unknown offenders.

141. It shall be the duty of all police officers to give immediate information to the Magistrate of any offence committed contrary to the provisions of this Act. Any police officer may arrest any person committing in his view any offence against this Act, if the name and address of such person be unknown to him, and such person may be detained at the station-house until his name and address shall be ascertained.

TOWN POLICE ACT.

It is hereby notified by order of the Commissioner of Pegu and Governor General's Agent, that the following sections of Act XIII of 1856 of the Legislative Council of India, will be enforced in the town of Rangoon on and after the 1st November 1856:—

Disorderly conduct in houses of public entertainment.

53. Whoever, being the keeper of any such house or place of public resort and entertainment in the town of Rangoon, knowingly permits drunkenness or other disorderly behaviour in such house or place, or knowingly suffers any gaming whatsoever therein, or who knowingly permits prostitutes, or persons of notoriously bad character to meet or remain therein, or who wilfully harbours or conceals any soldier, seaman, or apprentice, knowing or having reason to believe such soldier, seaman, or apprentice to be a deserter, shall be liable to a fine not exceeding one hundred rupees, and shall also be liable to forfeit his license.

Penalty for harbouring and concealing deserters from merchant vessels.

54. Whoever in any place within the said town wilfully harbours or conceals any seaman or apprentice belonging to a merchant vessel, knowing, or having reason to believe, such seaman or apprentice to be a deserter, shall be liable to a fine not exceeding one hundred rupees.

Penalty for owning or keeping or being employed in a gaming house, &c.

56.* Whoever, being the owner or occupier, or having the use of any house, room, or place, opens, keeps, or uses the same for the purpose of gaming being carried on therein, and whoever, being the owner or occupier of any house or room, knowingly and wilfully permits the same to be opened, kept, or used by any other person for the purpose aforesaid, and whoever has the care or management of, or in any manner assists in conducting, the business of any house, room, or place opened, kept, or used for the purpose aforesaid; and whoever advances or furnishes money for the purpose of gaming with persons frequenting such house, room, or place—shall be liable to a fine not exceeding five hundred rupees, or to imprisonment, with or without hard labor, for any term not exceeding three months.

NOTE.—The sections marked thus * were extended to the whole of the Pegu division from the 4th September 1862.

57.* Whoever is found in such house, room or place, playing or gaming with cards, dice, counters, money, or other instruments of gaming, or is found there present for the purpose of gaming, whether playing for any money, stake, wager or otherwise, shall be liable to a fine not exceeding two hundred rupees, or to imprisonment, with or without hard labor, for any term not exceeding one month; and any person found in any common gaming-house during any gaming or playing therein, shall be presumed, until the contrary be proved, to have been there for the purpose of gaming.

Penalty for being found playing in a gaming-house.

58.* If the Magistrate, upon information on oath, and after such inquiry as he may think necessary, has reason to believe that any house, room, or place, is used as a common gaming-house, he may by his warrant, give authority to any inspector or superior officer of police to enter, with such assistance as may be found necessary, by night or day, and by force if necessary, any such house, room, or other place, and to take into custody all persons whom he finds therein, whether or not then actually gaming, and to seize all instruments of gaming, and all monies and securities for money, and articles of value, reasonably suspected to have been used or intended to be used for the purpose of gaming, which are found therein, and to search all parts of the house, room, or place which he shall have so entered when he has reason to believe that any instruments of gaming are concealed therein, and also the persons of those whom he so takes into custody, and to seize and take possession of all instruments of gaming found upon such search.

Magistrate may grant warrant to police officers to enter a gaming-house for search and seizure.

NOTE. The sections marked thus * were extended to the whole of the Pegu division from the 4th September 1862.

The finding of cards and other instruments of gaming in certain houses to be evidences that such houses are gaming-houses.

59.* When any cards, dice, gaming-table, or cloth, board, or other instruments of gaming are found in any house, room, or place, of which information has been given on oath to the Magistrate that it is suspected of being used as a common gaming-house, or about the person of any of those who are found therein, it shall be evidence until the contrary is made to appear, that such house, room, or place is used as a common gaming-house, and that the persons found therein were there present for the purpose of gaming, although no play was actually seen by the police officer or any of his assistants.

On conviction for keeping a gaming-house Instruments of gaming to be destroyed.

60.* On conviction of any person for keeping any such common gaming-house, or being present therein for the pupose of gaming, all the instruments of gaming found therein shall be distroyed by order of the Magistrate, who may also order all or any of the securities for money and other articles seized, not being instruments of gaming, to be sold and converted into money, and the proceeds thereof, with all monies seized therein, to be forfeited, or, in his discretion, may order any part thereof to be returned to the persons appearing to have been severally thereunto entitled.

Proof of playing for stakes unnecessary.

61.* It shall not be necessary in order to convict any person of keeping a gaming-house, or of being concerned in the management of any common gaming-house, to prove that any person at any game was found playing for any money, wager or stake.

Witnesses indemnified.

62.* Any person who shall have been concerned in gaming contrary to this Act, and who shall be examined as a witness before the Magistrate, on the trial of any person for a breach of any of the provisions of this Act relating to gaming, and who upon such examinanion shall make true and

NOTE.—The sections marked thus * were extended to the whole of the Pegu division from the 4th September 1862.

faithful discovery to the best of his knowledge of all things as to which he shall be examined, and who shall thereupon receive from the Magistrate a certificate in writing to that effect, shall be freed from all prosecutions under this Act for any thing done before that time in respect of such gaming.

63. Nothing in the foregoing provisions of this Act contained shall be held to apply to any game of mere skill played at licensed hotels, taverns or eating-houses, or places of public resort.

Penalty for cheating at games.

64.* Whoever, by any fraud or unlawful device, or ill-practice in playing at or with cards, dice, or other game, or in bearing a part in the stakes, wagers or adventures, or in betting on the sides or hands of them that do play, or in wagering on the event of any game, sport, pastime, or exercise, wins from any other person for himself or any other or others, any sum of money or valuable thing, shall be deemed guilty of obtaining such money or valuable thing from such other person by a false pretence, with intent to cheat or defraud such person of the same, and, being convicted thereof, shall be liable to punishment accordingly.

Portion of fine money be paid to informer.

65.* The Magistrate may direct any portion, not exceeding one fourth, of any fine which shall be levied under sections 56 and 57 of this Act, or any part of the monies or proceeds of articles seized and ordered to be forfeited under section 60, to be paid to an informer.

Gambling in the streets.

66.* A police officer may apprehend without warrant any person found gaming with cards, dice, counters, money or other instruments of gaming in any public street, place, or thoroughfare, or publicly fighting cocks, or present as a spectator of such cock-fighting; and such person shall be li-

NOTE.—The sections marked thus * were extended to the whole of the Pegu division from the 4th September 1862.

able to a fine not exceeding twenty rupees, or to imprisonment, with or without hard labor, for any term not exceeding one month, and such instruments of gaming and money shall be forfeited.

Passenger boats to be registered.

78. No boat shall ply for passengers in the port of Rangoon, unless duly registered at the police office.

The following particulars shall be entered in the register :—

First.—Number of boat.

Second.—Name and residence of the owner, and of the manjee.

Third.—Number of the crew.

Fourth.—Number of persons the boat is permitted to carry.

The registration shall be in force for one year; and every change of the owner or manjee within that time shall be therein noted. A fee of one rupee shall be paid on registration.

Name of owner, number, &c., to be painted.

The owner of every such registered boat shall cause to be painted on a conspicuous part of it, in the English and vernacular languages, the registered number thereof, the number of the crew, and the number of passengers permitted to be carried.

Penalty.

The owner of a boat plying for passengers without being duly registered, or carrying more passengers, or with a less crew than is stated in the register, or not having the prescribed particulars painted on it, shall be liable to a fine not exceeding fifty rupees.

Magistrate may refuse to register unsafe boats or, if registered, may cancel the registry.

79. The Magistrate may refuse to register any boat, or may cancel the registration thereof whenever it may appear to him to be in an unsafe state.

80. Whenever any accident shall occur to a registered boat, attended with loss of the life of any one of the crew or passengers, the manjee, or if the manjee be not forthcoming the owner of the boat, shall report the circumstance at the police office; and if the manjee or the owner, as the case may be, without lawful excuse neglect or delay to make such report, he shall be liable to a fine not exceeding fifty rupees.

Penalty for neglecting or delaying to report accident to a registered boat, attended with loss of life.

86. Any police officer may arrest, without a warrant, any person committing in his view any offence against this Act.

Police officer may arrest without warrant in view of offence.

88. Whoever commits an offence on or with respect to the person or property of another, or, in committing an offence under this Act, injures or damages the person or property of another, may, if his name and address be unknown, be apprehended by the person injured, or by any person who may be using the property to which the injury may be done, or by the servant of either of such persons, or any person authorized by or acting in aid of him, and may be detained until he give his name and address and satisfy such person that the name and address so given are correct, or until he can be delivered into the custody of a police officer.

Apprehension of offenders by private individuals.

89. If any person lawfully apprehended under the last preceding section shall assault or forcibly resist the person by whom he shall be so apprehended, or any person acting in his aid, he shall be liable to a fine not exceeding 200 rupees.

Penalty for assaulting or forcibly resisting a person who apprehends under the preceding section.

115. It shall be lawful for all persons, and it is hereby declared to be the special duty of all police officers, to seize all cattle or other animals found straying upon the roads, streets, or thoroughfares, or trespassing on any of the grounds or property of the inhabitants, and to confine such animals in any public ground, which shall for such purpose be from time to time appointed

Stray animals to be impounded and sold unless redeemed within ten days.

by the Magistrate; and if such animals shall not be respectively redeemed by the owners of the same within ten days after being so pounded, by paying to the person to be appointed by the Magistrate to have charge of such pound, the fee of eight annas for every goat, sheep or hog, and one rupee for every other animal, together with the expenses of feeding the same while impounded, according to a daily rate to be settled by the Magistrate, such animal so impounded shall be publicly sold and the produce of such sale, after paying the said fee, and also the expenses of feeding shall be paid to the owners of such animal, or, in default of their claiming such produce for the space of fifteen days after such sale, shall be retained by the Magistrate, and credited to the police superannuation fund.

Stray dogs to be killed at certain appointed periods.

116. It shall be lawful for the Magistrate, by order in writing to be affixed at the principal police stations, and also to be published in some public newspaper, to appoint from time to time certain periods within which any dogs found straying in the streets or beyond the enclosures of the houses of the owners of such dogs, may be destroyed.

ACT XLVIII OF 1860.

Brothels.

14. On proof to the satisfaction of the Magistrate, that a house is used as a common brothel, or lodging-house for prostitutes, or disorderly persons of any description, to the annoyance of the respectable inhabitants of the vicinity, the Magistrate may summon the owner or tenant of the house to answer the complaint, and on being satisfied that the house is so used, and is therefore a source of annoyance and offence to the neighbors, may order the owner or tenant to discontinue such use of it, and if he shall fail to comply with such order within five days, may impose upon him a fine to the extent of twenty-five

rupees for every day thereafter that the house shall be so used.

18. Any inspector or superior officer of police, may enter any shop or premises for the purpose of inspecting the weights and measures and instruments for weighing kept or used therein, and may seize any weight, measure, or instrument for weighing which he may have reason to believe is false.

Powers of Inspectors, &c. to seize false weights and measures.

19. Whoever, in any public street, road, thoroughfare, or place of public resort within the town of Rangoon, commits any of the following offences, shall be liable to a fine not exceeding fifty rupees :—

Penalty for the following offences in public streets, &c.

1.—Whoever drives or rides any animal, or drives any vehicle, in a manner so rash or negligent as to indicate a want of due regard for the safety of others.

Furious or negligent driving or riding.

2.—Whoever drives, rides, or leads any elephant or camel without permission from the Magistrate.

Driving &c. elephant or camel, &c.

3.—Whoever drives any vehicle, of any description, at any time between three quarters of an hour after sunset and one hour before sunrise without a sufficient light, except when in the opinion of the Magistrate there may be sufficient moon-light to render such light unnecessary.

Driving vehicle without a sufficient light.

4.—Whoever, without reasonable cause, shall drive a carriage, cart, or other vehicle, otherwise then on the left or near side of the road.

Driving vehicle otherwise than on left side of the road.

5.—Whoever exposes for show, hire, or sale, any horse or other animal, or any carriage; or cleans or dresses any horse or other animal, or cleans any carriage or other conveyance, or makes or repairs any part of any cart or carriage, except in cases of accident, where repair on the spot is necessary; or trains or breaks any horse, except in such place and at such time as may be allowed by the Magistrate.

Exposing for show horses, cleaning or repairing conveyances, or training horses in places not allowed by the Magistrate.

Letting loose horses and ferocious dogs &c.

6.—Whoever negligently lets loose any horse, or suffers to be at large any ferocious dog without a muzzle, or sets on or urges any dog or other animal to attack, worry, or put in fear any person, horse, or other animal.

Negligence in driving cattle.

7.—Whoever, by negligence or ill-usage in driving cattle, causes any mischief to be done by such cattle, or in any wise misbehaves himself in the driving, management, or care of such cattle so as to cause mischief or obstruction.

Leaving cart, &c., without control.

8.—Whoever, being in charge of a cart, carriage, or horse, leaves it at such a distance as not to have it under due control.

Obstructing road or thoroughfare by carriage, &c.

9.—Whoever causes any cart or truck, with or without horses or cattle, to remain or stand longer than may be necessary for loading or unloading, except at places lawfully appointed for the purpose; or leaves any cart, carriage or truck, or fastens any horse or other animal so as to cause any obstruction in any thoroughfare.

Obstructing foot-way.

10.—Whoever leads or rides any horse or other animal, or draws or drives any cart, carriage or truck upon any foot-way, or fastens any horse or other animal so that it can stand across or upon any foot-way.

Obstructing thoroughfare by boxes, bales of goods, &c.

11.—Whoever leaves any box, bale of goods, or any other thing whatsoever so as to cause obstruction in any thoroughfare.

Exposing articles for sale so as to cause obstruction.

12.—Whoever sets out, or exposes for sale in or upon any stall, booth, show-board, cask or basket, or otherwise, any meat, fish, vegetables, fruit, groceries, or any other thing whatsoever, so as to cause obstruction in any thoroughfare.

Beating drums, tom-toms, &c.

13.—Whoever beats a drum, or tom-tom, or blows a horn or trumpet, or beats or sounds any brass or other metal instrument or utensil, except at such times and places as shall be from time to time allowed by the Magistrate.

14.—Whoever sets fire to, or burns any straw or other matter, or lights any bon-fire, or wantonly discharges any fire-arm or air-gun, or lets off or throws any fire-work, or sends up any fire-balloon, in or near any public street, road, or thoroughfare.

Lighting fires, &c., discharging guns, fire-works, &c.

15.—Whoever, without the consent of the Magistrate, puts up any post or other thing on the side of any public street, for the purpose of affixing thereon lamps to illuminate the street.

Illumination.

16.—Whoever, without the consent of the owner or occupier affixes any bill or notice, or any paper against or upon any building, wall, or fence, or writes upon, defaces or marks any such building, wall, or fence, with chalk or paint, or in any way whatsoever.

Affixing bills or otherwise defacing houses, &c.

17.—Whoever bathes or washes himself in any public street, or in, upon, or by the side of any public tank, reservoir or aqueduct, not being a place set apart for such purpose.

Bathing, &c., in public street or aqueduct.

18.—Whoever obstructs or incommodes a person bathing at any place set apart as a bathing place, by wilful intrusion, or by using such place as a landing-place, or by anchoring, or otherwise fastening or keeping boats, or by washing horses, cattle, or dogs, at or near such place, or in any other way.

Obstructing person at bathing places.

19.—Whoever uses any indecent, threatening, abusive, or insulting words, or behaves in a threatening or insulting manner, or posts up, or affixes, or exhibits any indecent, threatening, abusive, or insulting printed, lithographed, or written paper or drawing, with the intent to provoke a breach of the peace, or whereby a breach of the peace may be occasioned.

Indecent language.

REVISED MINUTE

ON THE LOCAL FUNDS OF BRITISH BURMA.

Rangoon, 15th June 1866.

Character of the funds.

The local funds of the province may conveniently be classed as follows:—

Port funds.

Municipal funds.

Miscellaneous funds.

PORT FUNDS.

The following are the ports of the province to which funds accrue:—

Rangoon.

Maulmain.

Akyab.

Bassein.

Kyouk Phyoo.

Their constitution.

As regards port dues the constitution of these funds is regulated by Acts XXXI of 1855, XXXV of 1857, and XXV of 1860.

Indents how submitted.

All indents for naval or marine stores for the supply of any port exceeding two hundred (200) rupees, must, prior to purchase (except in very emergent cases) bear the counter-signature of the Chief Commissioner. In submitting these indents, it is necessary to specify the probable cost of the article, whence procurable, whether the charge can be met out of the budget grant; contingent expenses up to two hundred rupees for any one item in any one month, may be sanctioned by the Commissioner of division. Interest will be charged on all sums advanced by Government on account of the port fund.

The Conservator of the port is responsible for the preparation and punctual submission of his monthly account to the Accountant General. As regards the public works department accounts, the Controller at the close of the year furnishes the Accountant General with the figures, and he embodies them in the account.

Whom responsible for preparation of monthly and annual accounts.

The sources whence the municipal fund in the province are derived are as follows :—

MUNICIPAL FUND. Items of credit.

1. TOWN MUNICIPAL ASSESSMENTS.
2. CANTONMENT ASSESSMENTS.
3. LEASE OF FERRIES (within town limits.)
4. LICENSES—
   - Hack carriage.
   - Passenger boat.
   - Wholesale and retail for sale of wines, &c.
   - Slaughter-houses.
5. FINES—
   - Breach of all rules established under No. 4, (licenses) or such as may hereafter be established.
   - Cattle pound.
   - Local laws of conservancy.
6. FEES—
   - Fees received for service of criminal processes by municipal police.
   - Government wharf bazaar.
   - Rent on occupation of town strand.
   - Grant from land sale and rent fund, being interest on Government securities standing at its credit.

The Deputy Commissioner or other Civil officer in charge, is responsible for the preparation of the monthly account of each municipal fund, to be submitted to the Accountant General within fifteen (15) days after the close of the period for district funds, and with the treasury accounts for fund of head quarter stations. Under his autho-

Preparation of municipal fund accounts—whom responsible.

rity, all receipts should be paid into the bank or treasury, and he should carry the taxes, as collected, to the credit of the several funds. The interest on sums funded should be drawn and carried to credit half-yearly.'

The rules respecting the renting of the several town ferries appear under their proper headings.

Rangoon municipal fund.

The municipal fund of Rangoon is debited with repairs of all works executed for the municipality by the public works department.

MISCELLANEOUS FUNDS.

Rangoon land-sale and rent fund.

Sums arising from the proceeds of the sale of town land, and rent on unsold town lots in Rangoon, constitute what is called the "*Rangoon land sale and rent fund.*" From this fund all original works in the town and suburbs of Rangoon are constructed. The accounts are rendered by the Deputy Commissioner to the Accountant General annually.

5 per cent. cess fund.

The rules regarding the collection of the 5 per cent. cess fund appear at page 185. The cess, which is divided into four funds, is collected by the Thoogyee, and paid into the treasury as a separate sum, and shown in a separate form.

The funds are kept quite distinct—the different amounts to credit of each fund are shown separately in plus and minus memoranda at close of the month, as those of other local funds are shown. The Deputy Commissioner submits quarterly to the Commissioner a return in the form ordered, showing the state of this fund. This is necessary with reference to projected works, or establishments. But he furnishes to the Accountant General the accounts in such form and at such periods as that officer requires. He can sanction and carry out works up to an outlay of rupees two hundred (200). Above that sum the sanction of the Commissioner of the division is required. He also submits another quarterly return,

through the Commissioner, to the Chief Commissioner's office showing the works carried out and the amount expended on each. This return should be prepared and submitted to the Commissioner on the 1st of May, 1st August, 1st November, and 1st February.

BAZAAR FUNDS.

The rules respecting the several bazaars will be found under their proper heading. The objects of a bazaar fund are obvious, viz., public convenience for the sale and purchase of articles of daily consumption; and to keep the bazaars in repair and clean; to build new ones when required, &c.

Accounts how and by whom kept.

The account of each bazaar must be made up separately by the Deputy Commissioner, or Civil officer in charge, and submitted to the Accountant General monthly.

General procedure regarding execution of works.

Each head of a department collecting local taxes should submit to the Commissioner—with the local funds' estimate for the ensuing year—a statement showing the probable amount of funds available, and what work he would propose for execution during the ensuing year. He should state also the probable cost of the works.

The Commissioner will then select such works, the cost of which is within his competency to sanction, *i.e.*, to the extent of rupees 500, passing his opinion on the expediency or otherwise of executing such, the cost of which may exceed his competency to sanction. District officers may sanction original works or repairs up to rupees 250; when available convict labor to the extent of the cost of any one work within the competency of the Commissioner or Deputy Commissioner to sanction, may with the concurrence of the Inspector General of Prisons be employed. The labor of each prisoner is to be estimated at four annas per diem for each working day.

In towns where the works are under the Executive Engineer (Rangoon, Akyab, Maulmain) the estimate for works &c. is made by that officer.

Annual report how to be submitted.

The annual report on local funds should be framed in a manner similar to the revenue report. It should be submitted as soon after that report as possible; with this annual report heads of departments should forward a detailed list of the fixed establishments as they stand at close of the official year, and district officers should include the number and cost of the police debited to each municipal fund.

The population of the towns paying for municipal police should also be given.

THE FOLLOWING RULES HAVING REFERENCE TO THE MODE OF DEALING WITH EXPENDITURE INCURRED IN THE PUBLIC WORKS DEPARTMENT FROM LOCAL FUNDS IN THE ACCOUNTS OF THE CIVIL DEPARTMENT, ARE LAID DOWN IN EXTRACT FROM THE PROCEEDINGS OF THE GOVERNMENT OF INDIA IN THE FINANCIAL DEPARTMENT NO. 135, DATED SIMLA, THE 26TH APRIL 1866.

The receipts of local funds are, for the most part, realized in the civil department. The accounts of the funds will remain as at present in the books of that department.

Such local fund revenue as is realized in the public works department, will be brought to credit of the funds on the civil books, by debit to the public works department, by means of a monthly statement to be sent by the Controller public works accounts, to the provincial Accountant General.

The disbursements from local funds will be debited to the accounts of the funds maintained in the civil books; for that portion of the ex-

penditure which is incurred by public works agency, the Controller, public works accounts, will send to the provincial Accountant General a statement of the amount charged in his account for the month, detailing the funds debitable with their respective shares of the total amount.

The latter officer will pass the amount of this statement to debit of the several funds and credit of "Public Works Department."

* * * *

The local civil officers will be responsible for keeping their expenditure from local funds within the portion of the annual estimate allotted to them by the local government.

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INSTRUCTIONS

FOR CARRYING OUT THE NEW SYSTEM OF AUDIT AND ACCOUNT OF LOCAL FUNDS IN BRITISH BURMA.

Primary record of receipts and payments.

1. All receipts should be entered daily in a cash book in the prescribed form, and paid into the treasury on the day of receipt. They should be recorded in the order of their occurrence, and numbered in a consecutive monthly series.

2. All payments should be entered in the same manner, care being taken that the money is withdrawn from the treasury on the day of entry. It must be borne strictly in mind, that only *Local Fund* receipts and charges should be entered in the cash book, and monthly accounts. Sums drawn from the Government treasury on account of pay of establishment debited to the Imperial Government; charges on account of dieting pauper patients, which are really contin-

gencies of the Magistrate, and only disbursed through the Civil Surgeon; purchase of medicines, also, on Imperial account, &c., &c., should not appear in the cash book, having been finally debited in the treasury account at time of payment.

3. The cash book (provided transactions occur on either side of the account) should be balanced daily. It should be kept with the greatest precision and regularity, and no erasure should on any account be permitted, any alteration should be made in red ink, under the initials of the officer in charge of the fund.

Accounts to be rendered to the Accountant General.

4. The present form of monthly cash account should be continued and forwarded to the Accountant General's office on the second working day after the expiry of the month. It would be as well, before transmission, to compare it with the entries made during the month in the treasury books, so that any discrepancies may be reconciled before despatch.

Payments of fixed charges by treasury officers.

5. The payments on this account need not be supported by vouchers, as such charges will be checked in the Accountant General's office by the vouchers which accompany the district cash account.

6. As the account will undergo post audit in the Accountant General's office, salary bills, &c., in original, only should be presented for payment at the treasury before audit. Payments on such accounts will be made on and after the first day of the month succeeding that for which they are due.

Payment of contingnet charges by treasury officers.

7. Every officer who regularly incurs contingent expenses on account of any Local Fund will, at the beginning of each official year, obtain from the Commissioner of his division a general sanc-

tion to the scale of his expenditure for the year, limited in regard to numbers, rates, or aggregate amount, as the controlling officer may consider expedient. This sanction will be communicated to the treasury officer as well as to the officer concerned, and the latter will then be paid the amount of his monthly bills for contingent expenses within the sanctioned limit, without pre-audit or the counter-signature of the Commissioner.

8. Abstracts of contingent charges in the prescribed form, which form a portion of the monthly contingent bill, may twice a month be presented for payment to the treasury officer, who will after payment forward them with the monthly cash account. As payment will be made on abstracts, the detailed contingent bill, of which there should be only *one* for the payments of the whole month, should not be presented at the treasury, but should be forwarded by the officer incurring the charge to the Commissioner of the division, who should immediately examine, countersign, and transmit it to the Accountant General for comparison with the charge in the cash account, and for recovery of any retrenchment which the Commissioner may have noted on the bill. Such retrenchments should be recovered under instructions of the Accountant General either from the succeeding payment or in any other suitable manner. To facilitate reference the detailed bill should give the date of the abstracts upon which payment was made, and the abstract should quote the number of the sub-vouchers included in it for payment. When the signature of the Commissioner can be obtained to the detailed bill before payment, the authorized bill may be used as a voucher and the abstracts dispensed with.

9. Officers incurring petty expenses, which require to be disbursed as the occasion for them arises, and before the money for paying them can be obtained on the usual contingent abstract, are allowed permanent advances of rupees 50 each. Out of this sum all petty charges should be paid, and the amount be recovered by presentation at the treasury of the monthly contingent bill or abstracts as the case may be. Should rupees 50 not be deemed sufficient, application for a permanent advance of the required amount should be made to the Commissioner of the division.

GENERAL RULES

REGARDING THE APPLICATION OF MUNICIPAL FUNDS IN THE PROVINCE OF BRITISH BURMA.

Dated 9th May 1865.

Object of municipal tax.

1. A municipal tax is levied in towns in order to provide for the police thereof, and also for the payment of establishments necessary to preserve cleanliness, such as sweepers, carts, cattle, &c.

2. Other purposes for which municipal funds are available are local improvements, such as roads, drains, bridges, tanks, wharves, wells, and every thing which may contribute to the health and comfort of the inhabitants.

3. Due care must be taken that the funds are not employed on works in which the bulk of the inhabitants are not interested, as roads for mere pleasure and so on; where there are municipal Commissioners established they have full control of the funds—where there are no municipal Commissioners means should be taken to ascertain the wishes of the rate-payers in the disposal of the funds.

4. The funds collected as municipal tax are credited to the local municipal fund of the place where the collection is made, and the Deputy Commissioner or Magistrate will, for each town where a municipal tax is established, open a separate account, in the form prescribed. Accounts.

5. At the close of each year, on the 30th of April, an account current should be made out, shewing the balance in hand. A copy of this should be forwarded to the Commissioner as soon as possible. Account current at close of year.

6. In case of a town requiring any large expensive works, such as a bridge, manifestly beyond the power of the inhabitants to build, special application may be made to Government for a grant of money for the purpose, either as a loan to the municipal fund, or otherwise. Application for expensive works how to be made.

7. Where works are not executed by the public works department the Magistrate or Deputy Commissioner may, with the sanction of the Commissioner of the division, execute any work for the public benefit at a cost not exceeding rupees five hundred (500). For any simple work of a higher estimated cost application should be made to the Chief Commissioner through the Secretary in public works department. In all cases of application being made for the construction of a work the state of the funds must be clearly shown.

8. It is to be distinctly understood that regular establishments paid from the funds of a municipality are to be sent up to the Chief Commissioner for Government sanction, before being entertained. Unless in the case of a municipality duly established by law. Establishments.

RULES

FOR THE COLLECTION OF MUNICIPAL TAX IN CERTAIN TOWNS IN THE DIVISION OF PEGU.

Tax to be collected in certain towns.

1. Municipal tax shall be levied in the following towns, viz :—

RANGOON DISTRICT.	Pegu. Yandoon
BASSEIN DISTRICT.	Bassein. Ngatheingyoung and one or two towns adjoining. Pantanau. Laymyitna.
MYAN-OUNG DISTRICT.	Myan-oung. Henzadah. Donabyoo. Kyangin. Kanoung. Zaloon.
PROME DISTRICT.	Promo. Thayet-myo. Shoay doung. Padoung. Poungday.

TOUNG-OO DISTRICT.—Toung-oo.

The local government may hereafter by public notification extend these rules to other towns, if it shall see fit to do so.

Boundaries how to be defined.

2. The boundaries within which the municipal tax shall be collected, shall, in towns wherein assessment in lieu of capitation tax is levied, be the same as those within which the said assessment is collected. In other towns the boundaries shall be fixed by the Deputy Commissioner of the district to which the town belongs, subject to the sanction of the Commissioner.

Rates of tax.

3. The rates of municipal tax shall be as follows :—

1.—In towns in which the assessment in lieu of capitation tax is levied, one pie per square foot on all land covered by buildings. The measure-

ments for the purpose of assessing the municipal tax to be taken from the assessment rolls of the assessment in lieu of capitation tax, so that one measurement shall answer for both assessments.

2.—In all other towns than the above, the municipal tax shall be assessed after the Burmese method, according to the number of posts in each house, at the following rates.

			RS.	AS.		RS.	AS.	
1st.	class	7 posts	2	8	per quarter	10	0	per annum.
2nd.	„	6 „	1	12	„	7	0	„
3rd.	„	5 „	1	0	„	4	0	„
4th.	„	4 „	0	10	„	2	8	„
5th.	„	3 „	0	6	„	1	8	„
6th.	„	2 „	0	2	„	0	8	„

3.—The front post only, or such as face the road, to be counted—except in the case of houses that may be constructed to evade these rules, or in the case of bazaars or other large buildings extending through from street to street, where the calculation will be on the posts contained in such house, measured lengthwise. In a house facing a street on more than one side, all the posts having a road or street frontage to be counted. Houses having more than seven posts calculated according to the above rules shall pay 3 rupees per annum or 12 annas per quarter additional for each post above seven, all pucka houses to be assessed in the first class.

4.—The above rates are subject to any alterations which the local government may be pleased hereafter to order therein.

Appointment of officers to collect the tax.

4. The Deputy Commissioners shall nominate the officers by whom the municipal tax shall be collected in each town.

Assessment rolls to be prepared quarterly.

5. The Goung or other officer appointed as above to collect the tax shall at the commencement of each quarter of the official year, viz., 1st May, 1st August, 1st November, and 1st Febru-

ary prepare in duplicate an assessment roll for the quarter or quarters of the town to which he shall be appointed.

Assessment rolls to be examined and passed by Deputy Commissioners.

6. On the completion of their rolls the Goungs shall deliver them to the Deputy Commissioner of the district or such officer as he shall appoint to receive them. The Deputy Commissioner or officer aforesaid shall examine the rolls, and if found correct sign and seal them as passed. One copy shall then be returned to the Goung and one be retained in the office of the officer signing them.

Tax bills how to be prepared.

7. Tax bills shall then be prepared from the roll, if for Europeans, in English, by the Deputy Commissioner or officer aforesaid; if for Asiatics, in Burmese, by the Goung, and be signed, the former by the officer who prepares them, the latter by the Goung.

Tax how to be collected.

8. These bills shall then be presented by the Goung for payment. On receiving payment of his demand the Goung shall endorse a receipt on the back of the bill and deliver it to the party making the payment. Any party to whom a tax bill is presented for payment may demand to be allowed to compare it with the authenticated assessment roll and the Goung shall produce the assessment roll for inspection whenever required by a ratepayer to do so.

Payment of collection into the treasury.

9. In the chief towns the Goung shall pay the amount of his collections into the treasury daily. In towns where there is no treasury the collections shall be paid daily by the Goung to the Assistant Commissioner or Myo-oke in charge of the town, and by him into the treasury as often as opportunity offers.

Collection of each quarter to be closed before the end of the quarter.

10. The whole of the collections for each quarter of the year shall be collected, paid in, and the account closed, before the end of the said quarter.

11. The procedure in cases of non-payment of municipal tax after due demand shall be the same as that laid down in sections 8 and 9 of the rules for the collection of assessment in lieu of capitation tax.

Procedure in case of non-payment on demand.

12. All land and buildings of the same description as those which under clauses 1 and 2 of section 10 of the aforesaid rules are exempt from assessment in lieu of capitation tax shall be exempt also from municipal tax.

Exemptions.

13. The rates of pay or remuneration of the Goungs, writers, and other officers employed in collecting the municipal tax shall be fixed from time to time by the Commissioner.

Pay of officers employed in collecting tax.

14. The word "Goung" wherever used in the above sections shall be held to mean the officer, however designated, who is charged with the immediate collection of the tax.

Interpretation clause.

Form of assessment roll and tax bill for municipal tax assessment roll of (or bill for) municipal tax of the quarter in the town of district of for the quarter of 186 -6

No.	Name of owner or occupier.	Class of house or No. of square feet.	Amount of tax.	REMARKS.
				Here enter the number of posts if more than 7.

Date

Signature of Goung.

Counter-signature of Deputy Commissioner or officer authorized by him to pass the roll.

(This is not required to the Burmese tax bills.)

RULES

FOR LEVYING MUNICIPAL TAX IN THE TOWN OF MERGUI.

1. All houses of a value not exceeding twenty-five rupees (rupees 25) will pay one anna per mensem.

2. All houses of a value above twenty-five and not exceeding one hundred rupees (rupees 100) will pay two annas per mensem.

3. All houses of a value exceeding one hundred rupees will pay 3 annas per cent. per mensem.

FEES

OF TODDY TREES WITHIN THE TOWN OF RANGOON.

Fees collected on toddy trees growing on public land within town of Rangoon—how credited.

Fees collected on toddy trees growing on public land within the town of Rangoon, and on unsold lots, should be distinctly separated from the general toddy farm, and included in municipal receipts—vide Chief Commissioner's letter No. 0196, dated 13th January 1864.

NOTE.—In the town of Tavoy a tax is levied on the principle of Reg. 22 of 1816 of the Bengal code, the maximum rate being two rupees (rupees 2) per annum a house.

SECTION II.—FERRIES.

All ferries are bound to ferry over, free of charge, Government mails, and all military officers, soldiers, &c. on military duty.

RULES

FOR RENTING OUT THE FERRIES IN THE SUBURBS OF RANGOON.

1. The limits of the ferries are as follows :— Limits of ferries.

At Kemendine, from the lower end of the Forest depôt to the Zye-gyee-lan in the village of Kemendine, nearly opposite the mouth of Thanat-be-bouk gyoung. The length between these two points is 8546 feet.

At Puzoondoung, from the lower end of the village of Puzoondoung to a point marked by a pillar 5600 feet higher up the Puzoondoung creek.

2. The renter shall keep at each of the above ferries four (4) boats, of not less than fifty (50) baskets burden each. Number of boats.

3. The rates of fares shall be as follows :— Rates of fares.

	RS.	AS.	P.
For each person	„	„	3
(This shall include such burden as one person can ordinarily carry.)			
For each pony, bullock or buffaloe carried over...	„	8	„
„ each pony or bullock ferried over by towing	„	4	„
„ each buffaloe ferried over by towing ...	„	6	„
„ each goat	„	„	3

4. No boat shall be allowed to take over more than 20 persons at one time. Number of passengers.

Renter not to interfere with private boats.

5. The renter of the ferry has no right of interference with any boat employed by its owner in taking himself or his property, or any other person's, across the river, provided such boat does not ply for hire within the limits of the ferries as above described.

Ferries when rented.

6. The ferries will be rented out yearly, viz: from the 1st of May to the 30th April following.

Disputes about fares.

7. All disputes on the subject of fares will be reported at once to the Magistrate who will decide them.

8. A copy of these rules in Burmese will be kept in each boat.

Penalty for infringement of rules.

9. Any infringement of these rules on the part of the license-holder will subject him to the loss of his license and to fine, at the discretion of the Magistrate.

RULES

FOR RENTING OUT THE FERRIES IN THE DISTRICT OF TOUNG-OO.

Number of ferries.

1. The number of ferries rented out are 10, at the following places:—

1.—Temporary bridge over the Lay-cha-choung; 9 ferry boats at—

1.—Myo-tseik.

2.—Bahnoung.

3.—Dwayawaddee.

4.—Kaboung choung Shessay.

5.—Yay-byen-kin.

6.—Kin-tseik.

7.—Oung-gyee-yay-gyeen.

8.—Tantabew.

9.—Do-thoung.

2. The renter to keep two boats at the ferries on the Poung-loung stream capable of containing 30 baskets of paddy; at the ferries across the Kaboung one boat capable of containing 25 baskets. Boats to be kept.

3. The fixed rates of fares are :- Rates of fares.

	RS.	AS.	P.
1 Pony, buffaloe or bullock	„	4	„
1 Empty cart	„	8	„
1 Goat	„	1	„
1 Cart loaded with goods...	1	„	„
1 Man without load	„	1	„
1 Man with his goods	„	2	„
FOR THE BRIDGE—For a cart loaded with rice or paddy—2 pyees of the grain.			
1 Empty cart	„	„	6
1 Cart loaded with mixed goods	„	1	„
1 Bullock with panniers	„	1	„

Men carrying loads or not to pass free.

4. No rent to be demanded by the builder of the temporary bridge if the goods are crossed without crossing his bridge.

5. The renter of the ferry has no right of interference with any boat employed by its owner in taking himself or his property, or any other persons, across the river, provided such boat does not ply for hire within the limits of the ferries as above described. Renter not to interfere with private boats.

6. The ferries will be rented out yearly, viz., from the 1st of May to the 30th of April following. Ferries when rented.

7. Payments made in two instalments, viz., the first on the 1st of July and the second on the 1st of January of each year. Payments when and how made.

8. All disputes on the subject of fares will be reported at once to the Magistrate who will decide them. Disputes.

Penalties for infringement of rules.

9. Any infringement of these rules on the part of the license-holder will subject him to the loss of his license and to fine, at the discretion of the Magistrate.

RULES

FOR RENTING OUT FERRIES IN ARAKAN.

Ferries how rented.

1. In arranging for the renting of the ferries the Deputy Commissioners will be guided by the provisions of the following extracts from section 3 to 7 of Regulation 6 of 1819 (Bengal code) which are still applicable to the ferries of this division.

2. They will exercise their own discretion in fixing the amount of rent for each ferry with reference to its ascertained value.

3. As a general rule—where the same can be effected—the ferries should be rented to the inhabitants of the villages in their immediate vicinity —or if the ferry is disposed of by auction the privilege of pre-emption at the highest bid should be secured to them.

Rent how paid.

4. The annual rent for the several ferries in the Arakan division is to be paid in (4) four quarterly instalments in advance, viz: the first on the day the ferry is rented—the second on the 15th July—the third on the 15th October and the fourth on the 15th January; in failure of which the ferry will be put up to auction again for the period unexpired, and the original purchaser shall forfeit all profit from the re-sale and shall make good any loss that may accrue, and the Deputy Commissioner may summarily distrain his property for its recovery.

Extract Regulation 6 of 1819.

3. First—No ferries shall be hereafter considered public ferries, except such as may be situated at or near the sudder stations of the several

Magistrates, * * or such as may intersect the chief military routes, or other much frequented roads, or such as from special considerations it may appear advisable to place under the more immediate management of the Magistrate.* *

Second—The Government reserves to itself the power of determining from time to time what ferries shall, under the preceding rule, be deemed public ferries, and as such, shall be subject to the immediate control of the Magistrates * *; and no Magistrate * * shall without previous authority from Government, assume the management of any ferry which may not have been let in farm * * or otherwise subjected to assessment.* *

Third—It will be the duty of the several Magistrates * * to prepare lists of the ferries, which in their judgment should, under the foregoing rules, be considered to be public ferries, and transmit them as soon as prepared * * * for the information and orders of Government.

4. First—The power of appointing proper persons to the charge of the public ferries is vested in the Magistrates * * who are authorized, from time to time, to issue such orders as they may judge expedient, for limiting the rates of toll to be levied at each ferry, for regulating the number and description of boats to be maintained, for preventing exactions, and generally for promoting the efficiency of the police, and the safety and convenience of the community.

Second—On proof of any wilful breach of those rules, or of other misconduct on the part of the *Manjees* or other persons in charge of the public ferries, the Magistrates * * are empowered (independently of any punishment to which the parties may subject themselves under the general regulations) to remove such individuals, and to appoint others in their room.

Third—The *Manjees* or other persons who may be vested with the charge of public ferries, are to engage to cross free of toll the troops of Government, with their baggage and military stores, as well as all police and other native officers of Government who may be actually employed on the public service.

5. A list of all public ferries bearing the signature of the Magistrate * * shall be constantly stuck up in some conspicuous place in their *cutcherries*, * * * * and likewise in the *thana* within the jurisdiction of which they may be situated.

6. First—Such ferries shall exclusively belong to Government, and no person shall be allowed to employ a ferry boat plying for hire at or in their immediate vicinity, without the previous sanction of the Magistrate.* * * * * *

* * * * * *

7. First—In assuming the management of public ferries, the general objects of the Magistrate * * shall be the maintenance of an efficient police, the safety and convenience of travellers, the facility of commercial intercourse, and the expeditious transport of troops. For the above objects, they shall be careful to provide, or cause to be provided, safe and commodious boats: they shall fix the rates of toll on a very moderate scale, * * * * * * * * they shall adjust the modes of payment so that the tolls may bear as lightly as possible on the poorer classes of the community, and by leaving a fair profit to the individual who may be chosen for the immediate charge of the ferries, they shall endeavour to secure as far as possible the services of respectable and competent persons.

Second—No collection shall be taken on account of Government, from the proceeds of any ferry, until the above objects are fully secured;

and if in any case there shall remain a clear surplus profit, after providing adequately for those purposes, the amount collected shall be applied solely to the furtherance of similar objects, such as the repair or construction of roads, bridges, and drains, the erection of *suraces* or other works of a like nature.

RULES

FOR REGULATING FERRIES IN THE DISTRICT OF MARTABAN.

1. Ferries will be established at the following points on the Sittang river to meet the wants of the trader proceeding along the main roads to Pegu, viz :— Ferries where established.

A From the village of Win-pa-daw,
to the do. of Gway-beng-tseik.
B From the do. of Win-pa-daw,
to the do. of Kayatsoo.
C From the do. of Let-pan-thans-beng,
to the do. of Gway-beng-tseik.
D From the do. of Kyoung-yai,
to the do. of Kayatsoo.

2. The limits of the above ferries shall be considered to comprise the whole of the trading roads from Win-pa-daw on the east to Kayatsoo on the west bank of the Sittang. Limits.

3. The renter shall keep at each of the landings indicated by A. B. as above, four good substantial boats, viz :— Number of boats.

2 of not less than 500 to 1500 viss carriage.
2 ditto 2000 to 2500 ditto.

and at the points indicated by C. D. at each place 2 boats of not less than 1500 viss carriage.

Rates of fares.

4. The rates of fares shall be as follows :—

C E

From Kyoung-yai to Kayatsoo—

	RS.	AS.	P.
For each person carried over	„	3	„
„ each pony and bullock carried over...	„	8	„
„ each pony and bullock ferried over by towing	„	4	„
„ each buffaloe ditto	„	6	„
„ each goat carried over	„	1	„

B D

From Let-pan to Gway-beng-tseik.

For each person carried over	„	2	„
„ each pony and bullock	„	6	„
„ each pony and bullock by towing ...	„	3	„
„ each buffaloe do. ...	„	4	„
„ each goat carried over	„	1	„
„ each person carried over from (A) Winpadaw to Gway-beng-tseik...	1	„	„
„ ditto ditto to Kayatsoo ...	2	„	„

5. No boat shall take over more than for the largest and for the smallest.

Renter not to interfere with private boats.

6. The renter of the ferry shall not interfere with any boat employed by its owner in conveying himself, his property or any other person across the river, provided such boat does not ply for hire within the above-described limits.

Sale of ferries.

7. The ferries shall be sold yearly, viz :—from the 1st of May to the 30th April following.

Disputes.

8. All disputes on the subject of fares shall be referred to the nearest judicial officer.

9. A copy of these rules in Burmese shall be kept in each boat.

Penalties.

10. Any infringement of these rules on the part of the renter shall subject him to the loss of his license and to fine, at the discretion of the Deputy Commissioner, to whom suits will be referred.

FORM

OF LICENSE TO BE SIGNED BY FERRY LICENSE-HOLDER AT MAULMAIN.

I the undersigned resident of Maulmain having purchased the right of ferry at the Nyoung-ben-zeik creek for a period of (12) twelve months, from the
186 , at the monthly rent of (rupees
payable monthly in advance do hereby bind myself to abide by the following conditions, that is to say :—

1. I am at all times, day and night, to have two good boats capable of carrying carts and bullocks, two canoes of the size employed at the Main Wharf, with sufficient crews prepared and ready for crossing over passengers, carts, bullocks, horses, &c., &c.

2. I bind myself to cross passengers as they present themselves without unnecessary delay and to ensure their being treated with civility.

3. To take no more from each passenger than the rates in the annexed schedule.

4. Not to cross any person known to have been a convict, without being fully satisfied that he is duly released, nor any military retainer not in uniform, if there be any ground to suspect that he is a deserter or absent without leave.

5. I will at all times cross those persons and their baggage, who are exempted by the regulation, free of toll.

6. The privilege of ferry to extend one mile on either side of the ghât but it is clearly understood that it is plying for hire within the limits that is alone interdicted. I am not to interfere with private parties crossing in their own boats or crossing their friends without hire.

7. The amount of rent to be paid in twelve instalments monthly, in advance, on or before the 5th of each month, in failure the ferry to be put up to farm at my risk.

8. I am to have the option of at all times giving up the farm on giving one month's notice; but in such case, I am bound to sell my boats and their tackle and furniture, if required, at a valuation to be fixed by assessors, two of whom to be chosen by myself and two by the Magistrate, with a casting vote in the event of their disagreeing to an umpire to be chosen before hand by the assessors.

SCHEDULE.

RATES OF HIRE.

	RS.	AS.	P.
For a man, woman, or child above seven years, with or without as much as they can carry	„	„	6
„ children under seven years	„	„	„
„ a laden horse, cow or bullock ...	„	2	„
„ a cart	„	2	„
„ an elephant	1	„	„
„ a horse and carriage	1	„	„

(Signed)

Witnesses.

I, the undersigned as security do hereby deposit in the Magistrate's Court the sum of rupees being two months' rent, for the due fulfilment of this contract, and I bind myself to make good whatever loss may be sustained by Government.

(Signed.)

Witnesses.

(Before me).

Magistrate, Maulmain.

SECTION III.—HACK CARTS AND CARRIAGES.

RULES

FOR REGISTRATION AND LICENSING OF HACK CARTS WITHIN THE TOWN AND SUBURBS OF RANGOON.

1. No hack cart drawn by one bullock or more, shall be allowed to ply for hire without a license.

No hack carts to ply without license.

2. The owners of all hack carts, drawn by bullocks, shall take out a yearly license for each cart, at the town Magistrate's office. The fee for each license, being (1) one rupee, and the period of license to expire on 31st December of the year on which it was granted.

Fees. Owners to take out yearly license.

3. Every change of ownership, or temporary transfer of hack cart, shall be reported at the Magistrate's office, and registered as a new license.

Change of ownership or transfers to be registered.

4. Every licensed hack cart, shall have a number in English numerals cut out on a zinc plate, affixed to the centre of the axle tree. The numbers will not be less than (2) two inches in length, and will be supplied gratis, at the Magistrate's office.

Every cart to have a number.

5. All hack carts, when plying on any public road within the town and suburbs of Rangoon, shall be compelled to keep at the sides, or unmetalled portions of such roads, and to observe the rules of the road, by keeping on the left hand side as they proceed. They will be prevented from plying on such roads as it may be found necessary from time to time, for special reason, to reserve free of cart transit.

Rules of the road to be observed

6. The loss of any license must at once be reported to the Magistrate, when a fresh one will be granted free of charge.

Loss of license to be reported.

Penalties.

7. The breach of any of the provisions of these rules, by an owner or driver of any hack cart, will subject the owner to a fine not exceeding (10) ten rupees for a first offence, and not exceeding (20) twenty rupees for every subsequent offence. All fines to be levied, if necessary, by distress and sale of the hack cart on account of which the fine was imposed.

Date of rules having effect.

8. These rules will come into effect from and after 1st June 1864.

RULES

FOR HACK CARTS IN MAULMAIN.

License required.

1. All carts serving for hire must have a license from the Magistrate.

Renewal of license.

The license must be renewed during the first week of each English year, or as often as the cart changes owners.

Fee for license.

The license will be numbered, and contain the name of the owner; a register of which will be kept by the police. Fee for license eight annas.

License not compulsory.

2. No license granted unless the owner of the cart agrees to these rules.

Carts to be numbered.

3. Licensed carts to bear the number of their license legible in English and Burmese figures at least 2 inches high on the side of the body of the cart.

Equipment requisite.

4. Licensed carts to be provided with a driver of not less than 15 years of age, a pair of bullocks, and a piece of rope not less than 2 inches in thickness round, and 4 fathoms in length.

Each cart to have copy of rules.

5. Every licensed cart to have, and at all times to accompany the cart, a copy of these rules showing the rates of hire demandable.

6. Carts not to obstruct the public road, and are strictly prohibited from traversing the centre of any public road. Rules of road to be observed

7. Hacks carts to ply whenever demanded, day or night. Rights of the hirer.

8. The hirer may demand the cart to go to any place within the limits of the town where there is an accessible road.

9. Carts are licensed to carry a reasonable quantity of goods, baggage, grain in bulk, or bags not exceeding 1200 lbs. in weight, timber, slabs, &c. not to injure the cart or impede its being drawn or driven. Always provided the cart licensed for hire be built suitable for the conveyance of that description of goods, &c., the hirer may wish the conveyance of.

10. The hirer refusing to pay the hire or for any damages and compensation for loss of time, may be sued in the Police Court. Complaints against the driver to be preferred at the Police Court.

The table of distances published under the authority of the Magistrate for hack carriages, will be conclusive evidence on the subject of disputed distances.

11. The driver has the right, if hired for the entire day, to two hours' rest to obtain refreshment both for himself and his bullocks. Rights of the driver.

12. The driver may, if he see fit, demand his hire in advance, or refuse his cart if it be not given; he has a right to his hire immediately on discharge. Driver prohibited from demanding more than his correct hire.

13. The driver may demand the rates appended to these rules, and no more, unless a written

agreement for hire by the day, week, month or any specified period be made.

Penalties.

14. Breach of these rules will subject the offender to a fine not exceeding 25 rupees.

Rates of hire.

	RS.	AS.	P.
For every mile, or part of a mile, ...	„	2	„
„ the entire day from 8 A. M. to 6 P. M. allowing 2 hours for refreshment, ...	1	„	„
„ half a day or 4 hours, ...	„	10	„
Carts hired to proceed out of the limits of the town, per day, ...	1	8	„
For every 10 miles, ...	1	„	„

RULES

FOR HACK CARRIAGES IN THE TOWN AND SUBURBS OF RANGOON.

Dated 1st October 1864.

Classes.

1. There are two classes of hack carriages in the town of Rangoon, called 1st and 2nd class carriages, which shall alone be allowed to ply for hire within the town and suburbs, on taking out a yearly license.

License required and how prepared.

Free for license.

2. Owners of hack carriages, of either class, shall take out a yearly license from the Magistrate's office, for each carriage; and the number of each carriage and its class shall be entered in the license. A fee of one rupee is payable on each license. All licenses will terminate on the 31st December of the year in which they may have been granted.

Procedure regarding change of ownership and transfers.

3. Changes of ownership, and mortgages or temporary transfers of carriages, shall be registered at the Magistrate's office, and a fee of eight

annas charged for every such change or transfer, so registered. Every change of stall or stand, at which the carriage is kept for hire, must be reported at the Magistrate's office.

Number and class of cart to be noted on each.

4. Every licensed first class carriage shall carry a card inside with its number and class legibly painted thereon, in English numerals of not less than one inch in length.

All second class carriages shall have their registered number in English and Burmese numerals, of not less than two inches in length painted on each of the outside door panels, according to a pattern to be seen at the Magistrate's office.

5. The Magistrate will select convenient places in the town, where a fixed number of hack carriages may remain for hire in the public street.

Equipments.

6. To every licensed hack carriage there shall be a complement of (2) two ponies, that is to say, a spare pony shall be available so as to admit of one change. The carriage itself shall be kept in good repair, and in a clean and serviceable condition, being provided with proper cushions, lamps, and strong serviceable leather harness.

7. Every carriage shall be provided with an able-bodied driver not under fifteen years of age, who is either to run at the pony's head, or to sit on a box raised sufficiently high to enable him to see over the top of the carriage. No driver is allowed to sit on the shafts or inside the carriage whilst driving.

License not transferable.

8. Every driver of a hack carriage shall be provided with a license, the fee for which will be one rupee per annum. The license is not transferable, and will expire on the 31st December of the year in which it was granted. A register of drivers will be kept in the Magistrate's office. Each driver will wear a brass plate on his left

arm, with his number in the register engraved thereon in English and Burmese numerals. Every driver must show his number, when required by a passenger.

Driver to show number when required.

Rules of road to be observed.

9. All hack carriages to observe the rules of the road, and on meeting any vehicle, to pass by, keeping to the left; when overtaken by a vehicle, they must pass by keeping to the right.

Lights.

10. Hack carriages when in use to have two lamps lighted, between three-quarters of an hour after sunset, and one hour before sunrise.

11. All hack carriages are bound to ply when required, day or night, on either the distance or the time fare. The licensed owner is responsible for the fulfilment of this rule.

Lost articles to be delivered to police.

12. Owners and drivers are bound to deliver to the police any article found or left in hack carriages; on proof of appropriation of any article left in a public conveyance, the offender becomes liable to punishment, under the Indian Penal Code.

Rates of hire.

13. The amount of fares payable for the hire of hack carriages is as follows:—

1ST CLASS—DAY OR NIGHT.

Per hour, or portion of an hour, ...	...12 annas.
For 12 successive hours, ...	... 6 rupees.

2ND CLASS—DAY WORK—6 A.M. to 9 P.M.

Per hour, or portion of an hour, ...	... 6 annas.
For 12 successive hours, night or day,	... 3 rupees.
Or for any distance a carriage is driven not exceeding one mile, ...	... 3 annas.

This shall be the rate for each mile or portion of a mile.

2ND CLASS—NIGHT WORK—9 P.M. to 6 A.M.

Per hour, or portion of an hour, ... 8 annas.
Or for any distance a carriage is driven
not exceeding one mile, ... 4 annas.

This shall be the rate for each mile or portion of a mile.

These rates include the fare for the whole number of passengers which a carriage is licensed to carry.

14. An agreement to be made at the time of engagement as to which mode of payment is to be adopted, the option of paying by time or distance remaining with the hirer. Should no agreement be made, the time rates will be enforced.

On engagement hirer to state whether he engages by time or by distance.

15. Wilful dilatory driving will be punishable, on proof before a Magistrate, as a breach of rules.

16. A board, 5 feet long and 3 feet broad, shall be suspended in a conspicuous place, in front of every hack carriage stand, having painted thereupon a table of fares detailed in rule 13, in English and Burmese; and every driver shall be provided with a copy of these rules by the proprietor of the carriage, and the driver shall produce, on demand of any passenger, copies of these rules—to be obtained on application to the head clerk of the Police office at 8 annas per copy.

Each carriage-stand to show a board.

17. All cases arising out of disputed fares, are to be decided by the Magistrate, and it shall be lawful in cases of dispute either for the party hiring, or the driver of the conveyance, to proceed at once to the Magistrate's Court for settlement of such disputes; the Magistrate's orders in such cases to be final.

Disputes how decided.

18. All carriages to be licensed to carry four passengers only inside, and one out; luggage of any kind exceeding 30 lbs. in weight, to be charged half fare extra.

Penalties.

19. The breach of any provision of these rules by an owner or driver, will render him liable to a fine not exceeding ten rupees, or ten days' imprisonment for a first offence and not exceeding twenty rupees, or twenty days' imprisonment for a second and every subsequent offence.

20. Should a license be lost, immediate information should be given by the owner to the Magistrate, who will grant a copy of the original.

Fare how to be paid.

21. The fare due for hack carriage hire is payable in coin only. Nothing in the above rules shall prevent private arrangements or contracts being entered into for the hiring of hack carriages by the month, day, or otherwise; such agreements or contracts must be in writing, otherwise the rules will be enforced relative to fares.

22. No license will be granted and no change of ownership or transfer recognized or registered at the Magistrate's office, unless the hack carriage for which license or transfer is applied, is brought to the Magistrate's office at 10 A. M. on the day of making such application, together with its harness, lamps, cushions and spare pony for the Magistrate's inspection.

23. The conveyance of dead bodies, and any offensive or putrid matter whatever in hack carriages of either class, is positively prohibited, and will be regarded as a serious breach of hack carriage rules.

RULES

FOR HACK CARRIAGES IN MAULMAIN.

License required.

1. All carriages serving for hire, must have a license from the Magistrate. The license must be renewed during the first week of each English year, or as often as the carriage changes owners, notice of which should be given in writing within

a week to the Magistrate. The license will be numbered, contain the name of the owner, and of the stable where the carriage is kept; when the stable is changed an entry to that effect must be made on the license, and in the register of carriages kept at the Magistrate's office. Fee for license, three rupees; for registry of change of stable eight annas.

2. The carriage owner is bound to produce his license when required by the Magistrate or an Inspector of Police.

Changes of ownership or transfer to be registered.

3. Changes of ownership and mortgage or temporary transfer of carriages shall be registered at the Magistrate's office, as shall also a change of stall or stand at which the carriage is to be hired.

4. No license granted unless the owner of the carriage agrees to these rules.

Number to be shown on carriage.

5. Licensed carriages to bear the number of their license legibly, in English and Burmese figures, at least 2 inches high on the panel of each door.

Equipment requisite.

6. Licensed carriages to be provided with 2 drivers, of at least fifteen years of age, two horses or ponies. Every carriage to be provided with proper cushions, two lamps, and strong reliable harness; and the carriage, with lamps, harness, reins, and ponies, to be kept in clean and serviceable condition.

7. Hack drivers to bear openly on their right arms the number of their carriage inscribed on a badge.

8. Every licensed carriage to have fixed in it, a card which will be supplied by the Magistrate, showing the rates of hire demandable.

License fee.

9. Every driver of a hack carriage shall be provided with a license, the fee for which is one rupee per annum. The license is not transferable.

10. The Magistrate will select convenient places in the town, where a fixed number of hack carriages may remain for hire in the public street.

Stalls to have board of rules affixed.

11. A board to be suspended in a conspicuous place, in front of every hack carriage stand, having painted thereupon a table of fares appended to these rules in English and Burmese; and every driver shall be provided with a copy of these rules by the proprietor of the carriage, and the driver shall produce the same on demand of any passengers. Copies of these rules to be obtained on application to the tax collector of the Magistrate's office, at eight annas per copy.

General rules.

12. Should a license be lost, information should be immediately given by the owner to the Magistrate, who will grant a copy of the original, if there be no objection to it.

13. Carriages may be driven or led; if driven, the seat must be high enough to allow the driver to overlook the roof.

14. Carriages not to obstruct the public roads. Stands are fixed.

15. Furious driving punishable by a fine extending to fifty rupees. Sitting on the shafts is strictly prohibited.

16. Leaving carriages on the road with no one in charge is prohibited, and punishable by a fine of twenty rupees.

17. The lamps to be lighted when, and so long, as it is dark.

18. Carriages overtaking and passing carriages pass on the right side. Carriages meeting must pass to their respective left hands.

19. All articles left in hack carriages must be restored to the owner, or sent to the Police within 12 hours.

20. Rudeness or incivility on the part of the driver is punishable.

Rights of the hirer.

21. Hack carriages to ply whenever demanded, day or night, and may be kept for 24 hours.

22. The hirer may demand that the carriage go at any rate he pleases, not exceeding six miles per hour, to any place within the limits of the town where an accessible road exists.

23. Carriages are licensed to carry 4 people. The hirer has a right to require the licensed number of passengers to be taken in the carriage, or in lieu, a reasonable quantity of luggage, of a kind not to injure the carriage.

24. All cases arising out of disputed fares, as well as cases of breach of these rules, are to be decided by the Magistrate or Assistant Magistrate, and it shall be lawful in cases of dispute, either for the party hiring or the driver of the conveyance, to proceed at once to the Magistrate's Court for settlement of such disputes; the Magistrate or Assistant Magistrate's orders in such cases to be final.

25. Any table of distances which may be published by order of the Magistrate, will be conclusive evidence on the subject of disputed distances.

Rights of the driver.

26. The driver has the right to change his horse and to be relieved or obtain refreshment every six hours, or after proceeding six miles, one hour allowed for this purpose.

27. The driver may, if he see fit, demand his hire in advance, or refuse his vehicle if it be not given. He has a right to his hire immediately on discharge. Drivers are prohibited from demanding more than their correct fare.

28. In cases, however, when proved before the Magistrate or Assistant Magistrate, that the occasion was emergent and not admitting of delay,

the refusal to hire although unaccompanied by the tender of the fare, shall render the owner amenable to the penalties herein provided.

29. The driver may demand the rates appended to these rules and no more, unless a written agreement for hire by day, week, month, or for any specified period be made.

30. Breach of these rules, where no penalty is stated, will subject the offender to a fine not exceeding twenty rupees.

Rates and fares.

RATES AND FARES TO BE PAID FOR HACKNEY CARRIAGES OF THE TOWN OF MAULMAIN.

Day or night work.	Fare by distance.		Fare by time.			
	For any distance within and not exceeding one mile.	For every mile or part of a mile beyond one mile.	For any time within and not exceeding one hour.	For every hour or part of an hour beyond one hour.	For half a day, consisting of five hours.	For a whole day consisting of eight hours.
Day work,	3 annas.	2 annas.	6 annas.	3 annas.	Rs. 1	Rs. 1/8
Night ,,	4 ,,	3 ,,	8 ,,	4 ,,	,, 1/8	,, 2

The above fares to be paid according to distance or time, at the option of the driver. Provided that if the distance travelled does not exceed one mile and the detention does not exceed half an hour, the fare is not to exceed three annas. Distance or time is to be reckoned from the place or time at which the carriage is called to the place or time at which it is discharged.

RULES

FOR HACK CARRIAGES IN THE TOWN AND SUBURBS OF AKYAB.

Dated 15th June 1863.

License required.

1. No hack carriages shall be allowed to ply for hire without a license.

2. Owners of hack carriages shall take out a yearly license from the Police office for each carriage, the number of which shall be entered in the license. A fee of one rupee is payable on each license. All licenses will terminate on the 31st December whatever be the period of the year in which they may have been granted. An owner of a hack carriage is bound to produce his license when required by the Magistrate, or by any Police officer above the grade of serjeant.

Changes and transfers to be registered.

3. Changes of ownership, and mortgages or temporary transfers of carriages shall be registered at the Police office, as shall also a change of stall or stand, at which the carriage is to be hired.

Number to be exhibited outside of carriage.

4. Every licensed carriage shall have its number in English and Burmese numerals, of not less than two inches in length, painted on the panels, and shall have a board with the number, class of license and rate of fares inscribed thereon, hung or fastened in some conspicuous part of the inside thereof.

5. The Magistrate will select convenient places in the town, where a fixed number of hack carriages may remain for hire in the public street.

Equipment requisite.

6. Every hack carriage shall be kept in a clean and serviceable condition and be provided with proper cushions, two lamps and strong reliable harness for the horse or pony. The Magistrate will divide the carriages into three classes according as they may approach the standard contemplated in this rule.

7. Every carriage shall be provided with an able-bodied driver not under fifteen years of age, who is either to run at the pony's head, or to sit on a box raised sufficiently high to enable him to see over the top of the carriage. No driver is allowed to sit on the shafts or inside.

Fee for license.

8. Every driver of a hack carriage shall be provided with a license, the fee for which is one rupee per annum. The license is not transferable. A register of drivers will be kept in the Police office. Each driver will wear a brass plate on his left arm with his number in the register engraved thereon in English and Burmese numerals. Every driver must show his number when required by a passenger.

Rules of road to be observed.

9. All hack carriages are to observe the rules of the road, and on meeting any vehicle to pass by keeping to the left; when overtaking a vehicle, they must pass by keeping to the right.

General rules.

10. Hack carriages, when in use, are to have two lamps lighted between three quarters of an hour after sunset, and one hour before sunrise.

11. All hack carriages are bound to ply when required, day or night, for either the distance or the time fare. The licensed owner is responsible for the fulfilment of this rule.

12. Owners and drivers are bound to deliver to the Police any article found or left in hack carriages. On proof of appropriation of any article left in a public conveyance, the offender will be liable to punishment as a thief, and if a driver, his license (on conviction) will be cancelled.

13. The amount of fare payable for hack carriages is as in schedule hereto subscribed.

These rates include the fare for the whole number of passengers which a carriage is licensed to carry.

An agreement should be made at the time of engagement as to which mode of payment is to be adopted, the option of paying by time or distance remaining with the hirer. Should no agreement be made, the time rates will be enforced.

14. Wilful dilatory driving will be punishable, on proof before a Magistrate, as a breach of the rules. But no carriage can be compelled to go where there is no made road in ordinary good condition for spring wheeled vehicles.

15. A board is to be suspended in a conspicuous place, in front of every hack carriage stand, having painted thereupon a table of fares as detailed in the schedule subscribed to these rules, in English and Burmese, and every driver shall be provided with a copy of these rules by the proprietor of the carriage, and the driver shall produce the same on demand of any passengers.

16. All cases arising out of disputed fares are to be summarily decided by the Magistrate, and it shall be lawful in cases of dispute, either for the party hiring or the driver of the conveyance, to proceed at once to the Police Court for settlement of such disputes, the Magistrate's orders in such cases to be final.

17. All carriages are to be licensed to carry four passengers only inside, and one out; luggage of any kind exceeding 30lbs in weight to be charged half fare extra.

18. No person can be excluded from a hack carriage by reason of his caste, but he may be if filthy or diseased.

19. Should a license be lost, immediate information should be given by the owner to the Magistrate, who will grant a copy of the original.

20. The fare due for hack carriage hire is payable in coin only.

21. The breach of any provision of these rules by an owner or driver, will render him liable to a fine not exceeding ten rupees for a first offence and not exceeding twenty rupees for a second and every subsequent offence. Penalties.

22. Nothing in the above rules shall prevent private arrangements, or contracts being entered into for the hiring of hack carriages by the month, the day, or otherwise; such agreements or contracts must be in writing, otherwise the rules will be enforced relative to fares.

SCHEDULE OF DISTANCES AND FARES:—

Rates and fares.

From Halliday's wharf	to	Cherogia to count as	2 miles
do.	do.	Deputy Comr's. Court	1 mile
do.	do.	Church	1 do.
do.	do.	Master Attendant's ...	1 do.
do.	do.	Burial Ground	1 do.
do.	do.	Fisherman's Creek ...	1 do.
do.	do.	Fakeer's Point	2 miles.

Class.	Description.	Time.	Per mile or portion of mile.	Per hour or portion of hour.	Three hours.	Half day or six hours.	Whole day or twelve hours.
			RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
1st.	1 Pony gharry,	Day	,, 4 ,,	,, 8 ,,	1 ,, ,,	1 8 ,,	3 ,, ,,
	do. do.	Night	,, 6 ,,	,, 10 ,,	1 4 ,,	2 ,, ,,	4 ,, ,,
	2 Ponies do.	Day	,, 6 ,,	,, 10 ,,	1 4 ,,	2 ,, ,,	4 ,, ,,
	do. do.	Night	,, 8 ,,	,, 12 ,,	1 8 ,,	2 8 ,,	5 ,, ,,
2nd.	1 Pony gharry,	Day	,, 3 ,,	,, 6 ,,	,, 12 ,,	1 2 ,,	2 4 ,,
	do. do.	Night	,, 4 ,,	,, 8 ,,	1 ,, ,,	1 8 ,,	3 ,, ,,
	2 Ponies do.	Day	,, 4 ,,	,, 8 ,,	1 ,, ,,	1 8 ,,	3 ,, ,,
	do. do.	Night	,, 6 ,,	,, 10 ,,	1 4 ,,	2 ,, ,,	4 ,, ,,
3rd.	1 Pony gharry,	Day	,, 2 ,,	,, 4 ,,	,, 8 ,,	,, 12 ,,	1 8 ,,
	do. do.	Night	,, 3 ,,	,, 6 ,,	,, 12 ,,	1 2 ,,	2 4 ,,
	2 Ponies do.	Day	,, 3 ,,	,, 6 ,,	,, 12 ,,	1 2 ,,	2 4 ,,
	do. do.	Night	,, 4 ,,	,, 8 ,,	1 ,, ,,	1 8 ,,	3 ,, ,,

SECTION IV.—BAZAARS.

RULES

FOR THE BAZAAR OF THE TOWN OF PROME.

1. The Prome bazaar is intended for the sale therein of meat, fish, nga-pee, vegetables and raw fruit of every description. *Object of the bazaar.*

2. Stalls and standing places for the sale of the above or of such other articles as parties wish to offer for sale are provided at the following rates :— *Stalls, size of, and rate of tax.*

	RS.	AS.	P.
First class about 4½ cubits square, ...	0	10	0
Second do. do. do.	0	8	0
Third do. do. do.	0	8	0
Standing sellers or sellers from baskets per diem,			1

Monthly tax.

3. In the first class are sold general articles which create no filth. *Articles sold in each class of stall.*

In the second class vegetables, fruits, &c.

In the third class fish, meat, nga-pee, &c. Standing sellers, or those selling from baskets, sell any of the above articles.

4. Persons selling gram or other article retail from carts, pay at the rate of (2) two annas per cart load. *Retail sale from carts.*

5. From the tax thus collected the following bazaar establishment is kept up :— *Bazaar establishment.*

1 Goung at 20 rupees.

6 Sweepers at 8 rupees each.

Total rupees 68 per month.

6. It will be the duty of the bazaar Goung to collect the bazaar tax and to make out a monthly list of standing sellers, with the names of the sellers, to be delivered to the Deputy Commissioner. *Monthly list of stalls, &c.*

7. The bazaar Goung who has the superintendence of the sweepers is responsible for the cleanliness of the bazaar.

Duties of bazaar Goung.

8. He will also have charge of the standard weights and measures; he will be careful not to interfere with prices, but will immediately report any instance of the use of false weights or measures.

Duties of bazaar Goung.

9. In the event of any disturbance occurring, it will be his duty to use his influence to suppress it and to bring it to the notice of the nearest Police officer.

No person to remain in bazaar at night.

10. As a general rule no one is allowed to remain in the bazaar at night, or to leave his property therein, and in no case is cooking or any fire allowed; no sale is allowed in the bazaar between dark and daybreak.

RULES

FOR THE BAZAAR AT KATTIAH.

Object of bazaar.

1. The Kattiah bazaar is intended for the sale of cloths, meat, fish, nga-pee, vegetables and fruit of every description.

2. Stalls and standing places for the sale of the above, or of such other articles as parties wish to offer for sale, are provided at the following rates:—

	RS.	AS.	P.	
1st class for the sale of cloth, 7½ feet square, ...	„	1	„	per diem.
2nd class for sale of tobacco, beetle-nut, molasses, cutch, &c., 7½ feet	„	1	„	per diem.
3rd class, cotton, twist, &c., 7½ feet	„	1	„	per diem.
4th class, crockery-ware and mats 7½ feet	„	1	„	per diem,
5th class, standing sellers or sellers from baskets	„	„	3	per diem.

3. From the tax thus collected the following bazaar establishment is kept up for the present.

Bazaar establishment.

1 Writer at 15 rupees per month.

4. It will be the duty of the bazaar writer to collect the bazaar tax and to make out a monthly list of all sellers, to be delivered to the Extra Assistant Commissioner for submission to the Deputy Commissioner. He has the general superintendence of the bazaar—is also responsible for the cleanliness thereof.

Duties of the establishment

He will also have charge of the standard weights and measures. He will be careful not to interfere with prices, but will immediately report any instances of the use of false weights or measures; in the event of any disturbance occurring in the bazaar it will be the duty of the writer to report the same to the Goung of Kattiah as the nearest Police officer.

As a general rule no one is allowed to remain in the bazaar at night, or to leave his property therein, and in no case is cooking or any fire to be allowed in the bazaar; no sale is allowed in the bazaar between dark and daybreak.

No person to remain at night in bazaar.

RULES,

FOR THE BAZAAR OF THE TOWN OF TOUNG-OO.

1. The right to collect the taxes in the Government bazaar will be sold by auction, the purchasers being bound to adhere to the rates fixed for all the stalls therein.

Right to collect bazaar taxes to be sold by auction.

Fixed rates payable to the auction purchaser. No larger sum than 5 rupees monthly demandable on each stall in the bazaar, except when a dispute for a certain stall arises about the right to occupy. The stall will be sold to the highest bidder among the disputants.

Fixed rates payable to the auction purchaser monthly.

Daily.

2. Daily sellers—3 pie.

Lighting and sweeping expenses to be paid by purchaser.

3. The auction purchasers will light the bazaar at night and pay all expenses for sweepers.

Bazaar Goung by whom appointed and his duties.

4. The bazaar Goung will be appointed by the Deputy Commissioner, and is held responsible that rates fixed as payable by occupiers of stalls and sellers are not exceeded.

5. The bazaar Goung will also have charge of the standard weights and measures; he will be careful not to interfere with prices, but will immediately report any instance of the use of false weights or measures.

6. In the event of any disturbance occurring, it will be his duty to use his influence to suppress it, and to bring it to the notice of the nearest Police officer.

Bazaar closed at night.

7. The bazaar is to be closed at night; no sellers permitted to sleep within the walls, no cooking allowed within the walls.

8. The bazaar purchaser for the year to pay in twelve instalments monthly in advance, but is prohibited from collecting from the sellers in advance.

9. The auction purchaser to guard the property in the bazaar at night and to satisfy himself that all almirahs and boxes are closed before the bazaar is closed for the day.

RULES

FOR THE MANAGEMENT OF GOVERNMENT BAZAARS IN THE TENASSERIM DIVISION OF BRITISH BURMA.

General rules.

1. The bazaar is divided into sections appropriated to the sale of the various commodities separately.

2. No stall holder shall sell other articles in his stall but those to which it is so appropriated.

3. The bazaar will be opened from the hours of 6 A. M. to 6 P. M., at which hour the gates will be closed for the night.

4. No stall holder shall have the right of keeping his property within the bazaar during the night; all such property so deposited will be at the sole risk of the owner.

5. With the exception of the lanterns attached to the bazaar no lights or fire will be permitted, and all cooking within the bazaar is strictly prohibited.

6. Each stall holder on the closing of the bazaar daily shall clear his stall of all dirt, bricks, and broken utensils.

7. The passages in the bazaar will be kept clear of all incumbrances, and no stall holder will have the right to deposit boxes or other packages on the path in front of his stall.

8. Cattle or carriages of any description drawn by cattle are prohibited from entering the bazaar.

9. For the supervision of the bazaar an establishment is provided, whose duties will be to keep the bazaar clean, and see that these rules are strictly carried out.

10. The stalls will be disposed of half-yearly at fixed rates per month for each section, and the purchaser will pay each month's hire in advance or subject himself to a suit for its recovery.

11. The purchasers of stalls shall be *bonâ fide* for the use of the purchaser alone, and not for speculation or re-sale.

12. Any infringement of these rules, on its being reported to the Deputy Commissioner, will subject the party to the forfeiture of his stall for any period paid for in advance, and render him liable to exclusion from the bazaar. Penalties.

RULES

FOR THE GOVERNMENT BAZAAR, AKYAB.

General rules.

1. The bazaar to be for the sale of all articles without exception, the only limit being sale of nga-pee, fish, and meat, for which articles one portion of the bazaar will be specially allotted.

2. The stalls to be numbered under respective heads, viz :—general, meat, fish, nga-pée.

3. The stalls to be let at a fixed monthly rent as per statement annexed. Rent to be payable in advance not later than 3rd of the month to which it refers. Tickets for stalls to be obtainable only on payment of the money at the Magistrate's office—preference will be given to persons in occupation of stalls who may wish to retain the same, but any person occupying a stall and failing to pay the rent in advance as above noted will be liable to have the said rent levied by distress on any goods in the stall—which will moreover be considered vacant and allotted to the next applicant accordingly.

4. Applicants for vacant stalls will have the choice of all vacant stalls according to date of application—½ rent only will be charged to those who take stalls subsequent to the 15th of a month.

5. Basket sellers having no fixed stalls will be charged one quarter anna per basket.

Duties of goung.

6. The bazaar Goung will be responsible for the cleanliness and the preservation of good order in the bazaar—he will likewise pay in daily the amount of basket collections of the previous day.

7. No person shall be allowed to :

1st.—Cook or have a fire in the bazaar.

2nd.—Erect any jamp or shelter in front of, or any partition inside of, any stall.

3rd.—Place or expose for sale any of his goods on any of the roads or paths in the bazaar and (with exception of basket sellers to whom space will be allotted) no person shall keep or expose for sale any goods except in the stall rented by such person.

Sleeping in the bazaar forbidden.

8. No person shall be allowed to sleep in the bazaar except stall renters who may wish to do so to take care of their property, and no women or children will be allowed to sleep in the bazaar—except in cases when women, having no one to look after their property, rent stalls and obtain written permission from the Magistrate to sleep there.

Exceptions.

No sub-letting allowed without due written permission.

9. No person shall sub-let any stall or shop in the bazaar—nor shall any transfer of tickets be valid without the written permission of the Magistrate.

10. Until the completion of a shed for the purpose, any two basket sellers wishing to erect a small shed or covering from the weather will be permitted to do so on payment of a monthly fee of one rupee (1) in lieu of a daily payment—space for the purpose will be allotted by the bazaar goung under orders of the Magistrate—such sheds not to be sub-let.

Scale of stall rent.

	RS.	AS.	P.	
Fish shop, ...	1	8	0	per mensem.
2 shops on each side of the main entrance, ...	5	0	0	„ do
1 shop on each side of the new entrance, ...	4	0	0	„ do

Remainder at 3 rupees per stall.

RULES

FOR THE SHWE-BYA BAZAAR.

1. The bazaar to be for the sale by retail of all articles without exception.

Stalls how to be let.

2. The stalls to be let at a fixed monthly rent as per statement annexed. Rent to be payable in advance not later than the 3rd of the month to which it refers—tickets for stalls to be obtainable only on payment from the bazaar goung, who will give preference to persons in occupation of stalls who may wish to retain the same, but any person occupying a stall, and failing to pay the rent in advance as above noted, will be liable to have the said rent levied by distress on any goods in the stall, which will moreover be considered vacant and allotted to the next applicant accordingly.

Applications for vacant stalls how made.

3. Applicants for vacant stalls will have the choice of all vacant stalls according to date of application.

4. Basket sellers having no fixed stalls will be charged one quarter anna per basket per diem.

Duties of bazaar goung.

5. The bazaar goung will be responsible for the cleanliness and the preservation of good order in the bazaar; he will likewise pay in daily the amount of collection of the previous day.

6. No person shall be allowed to—

Restrictions.

1st.—Cook or have a fire in the bazaar.

2nd.—Erect any jamp or shelter in front of, or any partition inside of, any stall.

3rd.—Place or expose for sale any of his goods on any of the roads or paths in the bazaar, and (with exception of basket sellers to whom space will be allotted) no person shall keep or expose for sale any goods except in the stall rented by such person.

7. No person shall sub-let any stall or shop in the bazaar—nor shall any transfer of tickets be valid without the written permission of the Magistrate. No sub-letting allowed.

Scale of stall rent.

2. Next entrance at each end—
2 rupees each per mensem.
2. Next but one to entrance at each end—
1 rupee 12 annas each per mensem—
2. Third from entrance at each end.
1 rupee 8 annas each per mensem—
Remainder 1 rupee do do

RULES

FOR THE BAZAARS IN THE TOWNS OF KYOUK-PHYOO, RAMREE AND SANDOWAY.

Approved by the Chief Commissioner, 24th August 1865.

General rules.

1. The bazaar to be for the sale by retail of all goods.

2. That a place in each bazaar be set aside for the sale of meat, fish, both fresh and salt, and of nga-pee, and such articles as vegetables, which are not to be exposed for sale in other parts of the town; but dry goods which do not make litter can be sold everywhere.

3. The stalls to be let at fixed rates; payable monthly in advance, a preference being given to the party in possession of a stall, so long as the rent is paid up regularly. Rates subject to revision annually.

4. Applicants for vacant stalls will have the choice according to dates of applications.

5. Basket sellers having no stalls, will be charged two pice, or ½ anna per day, whether they have one or two baskets.

6. A bazaar goung to be appointed to each bazaar on a fixed monthly salary according to the

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duties and income of the bazaar and to receive no commission on collections.

Goung's duties.

7. The goung to be in daily attendance at the bazaar, his duties will be—

1st.—To see that the monthly or annual arrangements for stalls made by the Deputy Commissioner are strictly attended to, and to let out places for basket sellers.

2nd.—To collect stall and daily rents.

3rd.—To see that the bazaars are kept clean and tidy.

4th.—To prevent cooking, or fires being lit in the bazaars.

8. The goung is also responsible for the refuse being removed daily out of the town to such place as may be appointed by the Deputy Commissioner or other municipal authority, and that the bazaar is kept clean.

9. Sweepers, one, two, or more, where necessary, to be appointed to each bazaar, to receive such monthly salary as may be necessary.

10. No persons to be allowed to sleep in the bazaars but the renters of stalls and their servants.

Standard measure for all retail sale of grain in bazaars, in Pegu and Tenasserim.

The standard Burmese basket or bushel has been constructed of copper in a cylindrical form, depth 14·562 inches, diameter 14 inches. The contents of this copper measure are equal to 2218·19 cubic inches as near as it is possible to make it. The true contents by computation of a cylinder 14 inches in diameter by 14·562 in depth will be 2241·6 cubit inches. This difference is attributable to the absence of true sphericity as it is not possible to turn a cylinder so true as to give the exact contents, but the copper vessel

now constructed is as correct as such an article can be manufactured. The pyee or pottle measure is exactly one-sixteenth of the bushel.

The standard basket measure is applicable to all retail sales of grain of any quantity not exceeding in the transaction one basket. In wholesale transactions the seller and buyer will use such basket measure as they prefer. The standard basket alone will be used in all government bazaars.

Standard basket measure applicable to what sales of grain.

I. STATEMENT OF THE WEIGHT OF RICE (IN THE SEASON IT IS REAPED) OF THE BASKET MEASURE IN POUNDS AVOIRDUPOIS.

	Cleaned rice.	Cargo rice 1-5th paddy.	Paddy.	REMARKS.
Standard measure	lbs. 62	lbs. 57½	lbs. 48¼	The standard basket measure has the same capacity as the English bushel.

II. STATEMENT OF COMPONENT PARTS.

Number.	Components.	Number.	Measures.	Name of measure in Burmese.	Contents in cubic inches.	Contents weight in pure water avoirdupois.
		1	Pint	¼ Pyee	34⅔ cubic in.	1¼ lbs. avoirdupois.
2	Pints	1	Quart	½ Pyee	69⅓ do.	2½ lbs.
2	Quarts	½	Gallon or $\frac{1}{16}$ bushel	1 Pyee or 1 basket $\frac{1}{16}$	138⅔ do,	5 lbs.
4	Quarts	1	Gallon or ⅛ bushel	2 Pyees or ⅛ basket	277¼ do.	10 lbs.
2	Gallons	1	Peck or quarter bushel	4 Pyees or quarter basket	554¼ do.	20 lbs.
4	Gallons	2	Peck or half bushel	8 Pyees or half basket	1109 do.	40 lbs.
8	Gallons	1	bushel	1 Ten or standard basket	2218⅓ do.	80 lbs.

III. TABLE.

1							Standard basket or bushel.
2	1						Half (or Akyab) basket or bushel.
4	2	1					Peck or quarter bushel.
8	4	2	1				Gallon.
16	8	4	2	1			Pyee or half gallon.
32	16	8	4	2	1		Quart.
64	32	16	8	4	2	1	Pint.

Weights used in British Burma.

In most towns of British Burma foreign articles usually sold by weight are sold in shops by British avoirdupois weight.

Articles sold in the daily markets held in towns in Pegu and Tenasserim are sold by Burmese weight.

The basis of the Burmese weights is the tickal which equals 252 grains troy, or exactly one cubic inch of distilled water at the temperature of 60°. One hundred (100) tickals make a viss; one viss equals 3·65 lbs. avoirdupois or 140 British Indian tolas exactly.

SECTION V.—GENERAL.

RULES

FOR A LICENSED SLAUGHTER-HOUSE IN THE TOWN OF RANGOON.

Number of slaughter-houses allowed.

1. There shall be but one licensed slaughter-house for all kinds of cattle, sheep and goats within the town and suburbs of Rangoon.

Duties of license-holder.

2. The license-holder will be required to erect a suitable shed or building (sufficient to accommodate his customers) to be used as a slaughter-house, on a site which will be pointed out by the Magistrate. He will be required at all times to slaughter cattle, sheep or goats, which may be brought to him for that purpose, on payment of the regular fee as laid down below in section 4.

3. All flesh which is intended for sale in the town bazaars as butchers' meat, (venison and game excepted) shall be slaughtered at the licensed slaughter-house and no where else, under a penalty mentioned below in rule 5.

4. The license-holder will be required at all times to keep his slaughter-house in a clean and wholesome state. He is forbidden to slaughter any animal, the flesh of which is intended for sale in the bazaars, before the same has been examined by the Conservancy officer or a Police officer duly appointed to that duty—and until such animal is pronounced wholesome. He is further restricted in his charges to the following rates for each animal slaughtered and dressed at the licensed slaughter-house:—

	RS.	AS.	P.
For each bullock or buffaloe, ...	1	„	„
„ „ calf, ...	„	8	„
„ „ sheep or goat, ...	„	8	„
„ „ kid, ...	„	4	„

Penalties.

5. Any breach of the above rules will subject the offender, on conviction before the Magistrate, to a fine of rupees fifty (50) for the first offence and rupees one hundred (100) for every subsequent offence.

6. Any breach of these rules will, if committed by the license-holder, subject him in addition to the penalty mentioned in rule 5, to deprivation of his license. The license will be re-sold at the risk and responsibility of the license-holder.

7. Nothing in these rules shall be understood to prevent the sale of game and sound wholesome venison in the bazaars from wherever brought.

8. These rules will come into force from and after the first day of January 1867.

ACT V OF 1861.

THE FOLLOWING SECTION OF ACT V. OF 1861 HAS BEEN SPECIALLY EXTENDED TO THE UNDERMENTIONED TOWNS OF BRITISH BURMA.

Certain duties of police officers.

34. Any person who on any road or in any street or thoroughfare within the limits of any town to which this section shall be specially extended by the local Government, commits any of the following offences, to the obstruction, inconvenience, annoyance, risk, danger, or damage of the residents and passengers, shall, on conviction before a Magistrate, be liable to a fine not exceeding fifty rupees or to imprisonment not exceeding eight days; and it shall be lawful for any Police officer to take into custody, without a warrant, any person who within his view commits any of such offences, namely :—

Obstructions and nuisances in roads.

Slaughtering cattle, furious riding, &c.

1.—Any person who slaughters any cattle or cleans any carcass; any person who rides or drives any cattle recklessly or furiously, or trains or breaks any horse or other cattle.

2.—Any person who wantonly or cruelly beats, abuses, or tortures any animal. Cruelty to animals.

3.—Any person who keeps any cattle or conveyance of any kind standing longer than is required for loading or unloading, or for taking up or setting down passengers, or who leaves any conveyance in such a manner as to cause inconvenience or danger to the public. Obstructing passengers.

4.—Any person who exposes any goods for sale. Exposing goods for sale on roads.

5.—Any person who throws or lays down any dirt, filth, rubbish, or any stones or building materials, or who constructs any cow-shed, stable, or the like, or who causes any offensive matter to run from any house, factory, dung-heap, or the like. Throwing dirt into street.

6.—Any person who is found drunk or riotous, or who is incapable of taking care of himself. Being found drunk in any thoroughfare.

7.—Any person who wilfully and indecently exposes his person, or any offensive deformity or disease, or commits nuisance by easing himself or by bathing or washing in any tank or reservoir not being a place set apart for that purpose. Indecent exposure of person.

8.—Any person who neglects to fence-in, or duly to protect any well, tank, or other dangerous place or structure. Neglect to protect dangerous places.

PEGU DIVISION.	TENASSERIM DIVISION.	ARAKAN DIVISION.
Rangoon,	Maulmain,	Akyab,
Pegu,	Amherst,	Kyouk Phyoo,
Yandoon,	Shwe-gheen,	Sandoway,
Bassein,	Martaban,	
Nga-thau-kyoung,	Thatone,	
Pantanaw,	Kyouk-hto,	
Lamyet-nga,	Sittoung,	
Myanoung,	Tavoy,	
Henzada,	Mergui,	
Donabew,		
Kyaugheen,		
Kemoung,		
Zalone,		
Prome,		
Thayet-myo,		
Shwe-doung,		
Padoung,	Notification No. 12 dated 27th February 1863, published in the *Calcutta Gazette* of 7th March 1863.	Notification No. 104 dated 26th June 1863.
Poung-lay,		
Toung-oo,		
Notification No. 70 dated 27th May 1863.		

CONSERVANCY RULES

FOR THE TOWN OF RANGOON.

Rangoon, 10th July 1865.

1. From and after the 1st day of July 1865, the town of Rangoon shall be divided into two divisions, east and west of Mogul street, each division to be under the supervision of a conservancy officer.

Duty of conservancy officer, eastern division.

2. It shall be the duty of the conservancy officer in charge of the eastern division of the town to inspect the slaughter-house daily and see that the slaughter-house rules are strictly enforced.

3. He is further required to inspect the main wharf and landing-places daily, and he will be held responsible for their being kept clean.

Duty of conservancy officer, western division.

4. The conservancy officer in charge of the western division of the town will daily inspect the bazaars on China and Godwin's street, known as the "Burra bazaar" and "Iron bazaar" and see that they are kept in a clean and wholesome state, and lay information before the Magistrate regarding all persons creating nuisances.

5. He shall further see that the roadside drains adjoining these bazaars are not used as public urinals, or converted into a receptacle for the refuse of the bazaars.

General duties of conservancy officers.

6. The conservancy officers shall daily muster the tindals and convict gangs, employed on conservancy work, equally dividing their gangs, and proceed to work at 6 A.M.

7. The roadside drains must be kept clean, and all rank vegetation cleared away from the sides of the streets.

8. The conservancy department shall daily remove all deposits on the side of the streets, such as dust, dirt, ashes, kitchen or stable refuse, or filth of any kind, and cart it away to be thrown into the river.

9. The conservancy officers shall lay information before the Magistrate, or at the nearest Police station, against all persons who may cause any deposit to be thrown in the streets, save at such places and at such hours as shall be fixed for that purpose.

10. The conservancy officer shall lay information before the Magistrate regarding the owners of all hack carriages, whose carriages are found on examination to be dirty inside, or in an unfit state to be used as a public conveyance. The conveyance of dead bodies, and offensive articles of food such as nga-pee, &c., in these carriages is also prohibited.

11. The conservancy officers shall lay information before the Magistrate regarding the owners of houses from which the water of any sink, or any other offensive liquid matter belonging to them, or being on their lands, is allowed to run, drain, or be thrown upon any public highway, road or street, or causes any such offensive matter from any sewer or privy situated on lots to run, drain, or be thrown into a surface drain on the side of the street.

12. It shall be the duty of the conservancy officers within their joint divisions to see that all offensive matter left by the tides above high-water mark, is either buried or thrown into the river, or otherwise disposed of.

13. In like manner the carcasses of dead dogs, bullocks, &c., found about the streets or floating about the harbor, shall be at once disposed of, either by sinking or burying them.

14. The conservancy officers shall report to the Magistrate, the locality, or the names of the owners of houses who have permitted their houses to become ruinous, or likely to fall in, or in any way become dangerous to the inhabitants of such houses, or to the neighbouring houses or buildings.

15. The conservancy officers shall lay information before the Magistrate against the owner or agent of every house who suffers the same to be in a filthy state and obnoxious to the neighbourhood, or over-grown with thick or noxious vegetation.

16. The conservancy officer shall lay information before the Magistrate against the owner or occupier of any land or house in the town whose drain, privy or cesspool shall be in a filthy state, so as to cause annoyance or be injurious to the health of the neighbourhood.

17. The conservancy officers shall lay information before the Magistrate against all persons who shall be found bathing at any public well or tank, the water of which is used by the inhabitants, or who shall be found washing any cloth or wearing apparel, or any foul or offensive thing near such public well or tank.

RULES

FOR RENTING, TEMPORARILY, VACANT LAND ON THE RIVER BANK IN THE TOWN OF RANGOON.

Dated 19th October 1865.

From the above date all parties depositing any of the following articles on the river bank between Sparks' street and Godwin's road will have to

pay a cess as noted below, for every such day it remains thereon:—

	PER DIEM.
Bricks and tiles	...One pie per square foot on the area occupied.
Pegu or earthen jars, &c. ...	...One anna each.
Bagging rice	...Half pie per square foot on the area occupied.

Twenty-four clear hours will be allowed for imported articles, for removal after being landed.

The cess will be levied every morning by the conservancy officer in charge of the division.

RULES

FOR TILING HOUSES IN THE TOWN OF PROME.

Rangoon, 17th October 1865.

Preamble.

It being desirable that all houses within the limit of the old town walls of Prome should be gradually tiled or otherwise covered with incombustible roofs, so that fires hitherto so destructive may be prevented in future, the following rules are established :—

Incombustible roofs necessary.

1. Each inhabitant who now owns a house not already roofed with incombustible material will be required to have a tiled or a metal roof according to the procedure herein laid down.

Extension of prohibition of combustible roofs to be gradual.

2. On the 1st of October of each year, or as soon as possible after that date, the space, or number of blocks of buildings, within which it is proposed to prohibit combustible roofs during the year shall be determined by the Deputy Commissioner of the district; but in no case shall the prohibition be extended during one year to a greater number of houses than one hundred and fifty (150).

Procedure relative to prohibition.

3. The space having been determined, the owner of each house having a combustible roof will be served with a written notice signed by

the Deputy Commissioner in the form A, annexed, requiring him to have a tiled or metal or other incombustible roof within two years, failing which he will be liable to be proceeded against under these rules.

Penalties.

4. At the end of two years, should the house of any person served with notice under rule 3 not have a roof as herein provided, the owner will be required by the Deputy Commissioner or other Government officer, to vacate the site, or if necessary will be ejected therefrom. He will be entitled to receive on ejectment, as the price of the land he vacates, a sum equal to ten (10) years of the annual assessment in lieu of capitation tax on the area covered by buildings, and the sum of ten (10) years' assessment on the land tax on land not so covered. The house he may be allowed to remove, receiving compensation for the expense of doing so, to be assessed by a committee assembled under the orders of the Deputy Commissioner. Should he not remove the house it will remain at the disposal of the Deputy Commissioner.

Roof of grass prohibited.

5. During the said period of two years no roof of grass shall be allowed on any house, the owner of which has received a notice as required in rule 3. During the rainy season roofs of wagat may be allowed on such houses, but during the dry season they also must be removed, and mats substituted on such portion of the house as may be necessary for protection from the sun.

Compensation &c., debitable to what fund.

6. All sums to be paid as compensation, price of land or otherwise, under these rules, are payable from the town municipal fund, the bazaar fund or other local fund pertaining to the town of Prome.

Land for which price has been paid under these rules how paid.

7. Land for which the price has been paid under these rules may be disposed of by the Deputy Commissioner for building purposes, either

at an upset price, to be fixed with the sanction of the Commissioner of the division, or by auction, as shall be deemed advisable. The boundaries of all lots of land so disposed of must be marked permanently by the Deputy Commissioner. Such land is to be sold solely on condition of a brick or wooden house being erected thereon, with a tiled or metal roof.

Receipts how credited.

8. All sums received under the preceding rule shall be credited to the municipal or other fund of the town of Prome from which money has been received or taken under these rules. Any profit arising from the sale of land shall be credited to the municipal fund only. These sums must be credited under a separate heading in the account.

Rules by whom enforced.

9. The Deputy Commissioner of the district is charged generally with the duty of enforcing these rules. All orders given by him are appealable to the Commissioner of the division, and the Chief Commissioner will from time to time review all proceedings and orders under these rules.

All orders to be recorded.

10. Every order given by the Deputy Commissioner under these rules must be duly recorded.

A.

To

———— quarter, town of Prome.

Take notice.

Under the rules for enforcing incombustible roofs in the town of Prome you are hereby informed that the house now occupied by you must have a tiled, metalled or other incombustible roof by the day of 186 , or you will have to vacate under the said rules, receiving compensation accordingly.

Date Year and Month } Signed

RULES

FOR LICENSING THE RIGHT OF VENDING CERTAIN ARTICLES AT THE LANDING-PLACE WEST OF THE MAIN WHARF AT RANGOON.

Preamble.

Whereas it has been found necessary to frame certain rules for the keeping the landing-place west of the main wharf at Rangoon clear of an indefinite number of vendors of petty stores, and at the same time for preserving it in a clean and orderly state, and whereas the best plan of effecting this is to limit and restrict the space occupied by such vendors of stores by granting a license or licenses for the sale of articles at the landing-place under proper restriction, it is ordered as follows:—

Stall allotments.

1. There shall be place given for 4 stalls and no more for the sale of articles at the said landing, each measuring six feet square—two on either side, east and west, contiguous to each other, and under cover of the verandah, but without enclosure or partition of any kind, and nothing shall be sold or exposed any where within the landing-place save at these 4 stalls.

What persons entitled to sell.

2. The license-holders alone shall be allowed to sell articles at the above 4 stalls, and not more than 2 vendors shall at any time be allowed to sit within each of the stalls' spaces, nor shall the licensed stall keepers have at any time more than 2 baskets of articles within the several stalls.

What articles for sale.

3. The only articles which will be allowed or exposed for sale at the stalls on the landing-place are fruits, vegetables and cakes of kinds, and ginger beer.

Stalls to be kept clean.

4. Each licensed stall keeper shall without fail bring and keep in his shop one broom or besom, and they shall be jointly and severally answerable that the stalls as well as the surrounding

space inside and outside the landing-place shall at all times be kept free of dirt and refuse of any kind which may accumulate by reason of such stalls being used as places for the sale of articles.

5. The rent to be paid by each licensed stall keeper shall be at the rate of 4 rupees per month, which shall be paid in advance for each calendar month, at the end of which the Magistrate may continue or renew the license; and any breach of these rules will subject the license-holder to forfeiture of his license, in which case any money paid in advance will be escheated. Rent to be paid.

6. It will be the duty of the conservancy officer to visit the landing-place every day and see that these rules are acted up to.

PART VI.

MARINE.

SECTION I.—PORTS.

ACT No. XXII OF 1855.

Passed by the Legislative Council of India, (received the assent of the Governor General on the 13th August 1855.)

AN ACT FOR THE REGULATION OF PORTS OR PORT DUES.

This Act was extended to the several sea-port towns of British Burma as follows:—

To AKYAB—by notification No. 604 of 23rd October 1856

To RANGOON—by notification No. nil of 25th March 1857.

To MAULMAIN—by notification No nil of 19th October 1857.

To BASSEIN—by notification No. nil of — September 1859.

ACT XXXV OF 1857.

Passed by the Legislative Council of India, (received the assent of the Governor General on the 14th December 1857.)

AN ACT FOR THE LEVY OF PORT DUES IN THE PORTS OF MAULMAIN, RANGOON, KYOUK PHYOO, AKYAB AND CHITTAGONG.

Preamble.

Whereas it is necessary to fix the amount of the port dues to be hereafter levied and taken in the ports of Maulmain, Rangoon, Kyouk Phyoo, Akyab and Chittagong, in accordance with the

provisions of Act XXII of 1855; it is enacted as follows:—

Port dues on sea-going vessels of ten tons and upwards entering port.

1. Port dues, at rates not exceeding the rates contained in the schedule to this Act, shall be chargeable in respect of every sea-going vessel of the burden of ten tons and upwards, which shall enter any of the said ports.

Rates of port due on vessels compelled by stress of weather to enter port.

2. When any vessel enters any of the said ports, being driven in by stress of weather, or in consequence of having sustained any damage, or for any other reason, but does not discharge or take in any cargo or passenger therein (with the exception of such unshipment and reshipment as may be necessary for the purpose of repair,) the port due chargeable in respect of such vessels shall be at a rate equal to one half the rate chargeable in respect of other vessels.

No port due on vessel compelled by stress of weather to re-enter port.

3. Provided that when any vessel having left any of the said ports is compelled to re-enter it by stress of weather, or in consequence of having sustained any damage, no port due shall be chargeable in respect of such vessel.

No vessel to pay port due at same port oftener than once in sixty days.

4. No vessel shall be required to pay at the same port, any port due chargeable under this Act, oftener than once in sixty days.

Commencement of Act.

5. This Act shall commence and have effect from and after the first day of January 1858; and the local Government shall, on or before that date, pursuant to section 42, Act XXII of 1855, declare by notification, to be published in the *Calcutta gazette*, the rates at which port dues shall be levied in any of the said ports subject to the provisions of and within the limits prescribed by this Act; and from and after the said date no port due shall be levied at any of the said ports except under the authority of Act XXII of 1855, and of this Act.

Rates of port dues to be published.

No port dues to be levied except under Act.

6. This Act shall be read with and taken as a part of Act XXII of 1855.

Act to be read as part of Act XXII of 1855.

SCHEDULE.

PORT.	MAXIMUM RATE.
Maulmain...	4 annas for every ton of burden.
Rangoon	6 annas ditto ditto.
Kyouk Phyoo	4 annas ditto ditto.
Akyab	4 annas ditto ditto.
Chittagong	4½ annas ditto ditto.

THE FOLLOWING REVISED RATES OF PORT DUES WERE SANCTIONED BY THE GOVERNMENT OF INDIA, IN THE HOME DEPARTMENT, No. 666, DATED 19TH JANUARY 1866, FOR THE UNDERMENTIONED PORTS, AND THE SAME TOOK EFFECT FROM THE 1ST MAY 1866 :—

Names of ports.	On account of buoys, port establishment, &c.	On account of coast lights.
Rangoon,	Four annas per ton,	One and half annas per ton.
Akyab,	Three ,, ,,	One anna per ton.
Kyouk Phyoo,	Three ,, ,,	

REMOVAL OF RANGOON LIGHT VESSEL.

The Light vessel at the entrance of the Rangoon river was removed on the 1st June 1866 to her new station.

The following are her bearings :—

From Elephant Point obelisk ...S. 19° 52' west.
,, Centre China Buckeer... ...S. 74° 20' east.
,, Fair way buoy ... ...S. 25° 07' west.

In twenty-one feet low springs

Latitude 16° 16' 05" north.
Longitude 96° 19' 36" east.

PORT OF RANGOON.

Commanders of vessels bound for the port of Rangoon, should endeavour to make the coast well to the southward, about the China Buckeer river, as many ships have been lost in consequence of having been swept by the strong flood-tide on to the extensive and dangerous sands to the northward and eastward, and into the Sittang river, in which direction the spring flood sets with dangerous velocity. Pilots are usually cruising well to the southward of the Light vessel, which is stationed at the entrance of the Rangoon river, in lat. N. 16° 16' 05"—long. E. 96° 19' 36".

DIRECTIONS

FOR ENTERING RANGOON RIVER.

The entrance to the river is marked by two beacons.

The western or Elephant beacon, painted alternately red and white.

The eastern or Grove beacon, upper half black, the lower white.

With these bearing to the northward steer up for the Light vessel in lat. N. 16° 16' 05"—long. E. 96° 19' 36"; at the low water spring tides soft mud 3½ fathoms. Flood sets N. E. by N.—Ebb. S. W. by S. 3½ to 4 knots.

From the Light vessel with a fair wind steer N. by E. ¼ E. about 5 miles for the outer black buoy, passing it to the westward a good cable length; from thence, steer north for the upper black buoy till the upper red buoy is in sight, bearing N. N. W.; pass to the eastward of this

with the western beacon bearing N. W. and steer in for Elephant point, which bearing from W. S. W. to S. S. W. distant half a mile will give good anchorage.

N. B.—Care must be taken not to bring the black buoy to the westward of N. ½ E. or the red buoy to the eastward of north.

From Elephant Point to Rangoon.

Steer along the right bank of the river, about a cable's length from the shore, until close to Bassein creek, when cross over to the left bank, along which steer at a distance of 1½ cable's length from the shore, until Dagon Pagoda bears about N. W.; then steer mid channel between the red and black buoy on the Hastings shoal for the Flag-staff in the town, and anchor opposite the dockyard.

RANGOON PORT RULES.

NOTIFICATION.

Dated 4th April 1859.

With the sanction of the Governor General of India in Council, it is hereby declared that the Port of Rangoon and the navigable river and channels leading to that port are subject to Act XXII of 1855.

The limits of the said port of Rangoon are as follows :—

To the West.—A line drawn south-west from the boundary pillar at Kemendine across the Rangoon river to the boundary pillar on the opposite bank at the entrance of the Paulang creek. West.

South East. *To the South East.*—A line drawn east from King's Point on the Dallah side of the Rangoon river to the boundary pillar on the Syrian side.

North East. *To the North East.*—A line running north-west and south-east drawn from the boundary pillar on the Rangoon or west side of the Pegu river, to a boundary pillar on the Syrian or east side. So much of Puzoondoung creek as lies south of a line drawn from a pillar on the east above Kyeezeik village to a pillar opposite on the west bank of the creek.

The limits of the said port include to the north and south so much of the Rangoon river and of the shores thereof, and so much of the Puzoondoung creek and the shores thereof as are within fifty yards of high-water mark, spring tides.

The limits of the navigable river and channels leading to the said port, made subject to the said Act, are as follows:—

North. *To the North.*—The Port of Rangoon as above defined.

South. *To the South.*—A line drawn east and west from the Light ship.

All parts of the Rangoon river between the said limits and below high-water line at spring tides, are subject to the said Act.

With the sanction of the Governor General of India in Council, it is hereby declared that the limits of the navigable river and channels leading to the port of Rangoon made subject to Act XXII of 1855 are altered as follows:—

To the South.—Within the space bounded by the 16° of north latitude as the southern limit;

and north of that limit to the coast extending between 96° and 97° 35' of east longitude.

All parts of the Rangoon river leading to the said port, and the several creeks running into the said river for five miles from their mouths, and below the high-water line at spring tides, are subject to the said Act.

The two last sentences of the notification dated the 4th April 1859, published in the *Calcutta gazette*, page 915 and 986 of 1859, are altered accordingly.

RULES

FOR GUIDANCE OF THE SHIPPING MASTER AT RANGOON.

1. The Shipping Master will be guided by the provisions of Act I of 1859.

To be guided by Act I of 1859.

2. The quarterly returns of the Shipping office together with the accounts of receipts and disbursements will be forwarded to the Commissioner of Pegu.

Quarterly returns to be forwarded to Commissioner of Pegu.

3. Licenses to procure seamen will be granted to such persons of certified good character as the Shipping Master may deem fit to receive them, but not more that three such persons will receive licenses for the port of Rangoon. Two sureties in the sum of rupees 250 will be furnished by each person before receiving a license. A fee of rupees 10 will be paid for each license and such licenses will continue in force for (12) twelve months only.

Licenses to procure seamen how granted.

4. A fee of not more than one rupee will be demanded from each man shipped, which sum will be paid into the hands of the Shipping Mas-

Fee to be taken from seamen shipped.

ter to be paid by him to the shipper as soon as the vessel has left the port.

RULES AND REGULATIONS

FOR THE GUIDANCE OF THE HARBOUR MASTER AND HIS ASSISTANTS.

Rangoon, June 1866.

Duties of Harbour Master.

The Harbour Master's duties will consist principally, as follows :—

1st.—General supervision of his Assistants and their work.

2nd.—Charge of all the buoys and marks in the river and channel.

3rd.—Docking, and undocking, or placing on and off the cradle, or hard, all vessels requiring it.

4th.—Instructing the Assistant and Extra Assistant Harbour Masters in their duties, and seeing that they keep the correct line of mooring, as marked by the buoys and posts.

5th.—The Harbour Master and Deputy Harbour Master should moor all the larger vessels, leaving the smaller ones to the Assistants.

6th.—The Harbour Master will have the general direction of the working of his establishment. It will be his duty to issue instructions to his Assistants every evening for the work of the following day.

Every care must be taken that the *first* arrivals are the *first* supplied with Harbour Master. The want of this care was the cause of much complaint last year.

7th.—If the Harbour Master has cause to be dissatisfied with the working of any of his Assistants, he will report the same in writing to the Master Attendant.

8th.—It will be the Harbour Master's particular care that the line of moorings between 21 and 22, opposite the Main wharf, and between 33 and 34, opposite Godwin's wharf be kept clear. Should any vessel be anchored so as to swing with either tide within the extreme limits of these lines, she is to be at once removed.

It will eventually be the duty of the Harbour Master's department to relieve the Pilots of steamers when off Daneedaw Pagoda, and take them alongside the wharves or into mooring between the months of May and October. This will not be till the establishment is in efficient working order.

Further instructions on this and other points will be given when required.

Duties of Deputy Harbour Master.

The Deputy Harbour Master will, in conjunction with the Harbour Master, take every opportunity to instruct the Assistant and Extra Assistant Harbour Masters in their duty. They will, during the present season, always take one of the Assistants with them when they move a vessel, and report to me when they consider any of the Assistants capable of mooring vessels by themselves.

It will be more particularly the duty of the above officer to take vessels *into* moorings, leaving the work of taking them *out* to the Assistant; but in this and all other points, he must be guided by the exigencies of the case.

It is better a vessel just entering should be detained than one on the point of leaving.

The Deputy will arrange a time with the Harbour Master for every evening to receive instructions for the following day's work.

Duties of Assistant Harbour Masters.

Assistant Harbour Masters will, for the present, work with the Harbour Master and Deputy Harbour Master till reported competent to move vessels in and out of moorings by themselves. They will receive instructions every evening from the Harbour Master for the following day's work.

Extra Assistant HarbourMasters.

Extra Assistant HarbourMasters will follow the above instructions. Their duties, when reported competent, will be principally confined to removing vessels out of moorings.

RATES OF STEAM HIRE PER DAY.

From 90 horse power to 120	RS. 300
From 60 horse power to 90...	„ 200
With additional charge of	
For back steam	„ 100

RULES FOR SIGNALS.

No. 1.—Distinguishing pendant white with red ball, ...	River steamer.
No. 2.—Blue with white ball, ...	Sea steamer.
No. 2.—Blue with white ball and telegraph or red, white, and blue flag, ...	Mail steamer from Calcutta.
No. 2.—Distinguishing pendant blue with white ball and rendezvous or blue and white checquered flag,	Mail steamer from Maulmain.
No. 3.—Distinguishing pendant red with white ball, ...	Sea steamer from Madras.
Ball on yard arm,...	Ship.
Cylinder on arm, ...	Barque.
Cone on arm, ...	Brig.
Cross on arm, ...	Schr. or Junk

Signals denoting arrival of steamers will be hoisted on the western yard arm.

SIGNAL GUNS.

MAIL from CALCUTTA.—By two guns fired in quick succession from the Main wharf when the steamer has passed the Hastings shoal.

MAIL from MAULMAIN.—By one gun fired from the same place when the steamer has passed the Hastings shoal.

MAIL from MADRAS.—By three guns.

ACT No. XXV OF 1860.

Passed by the Legislative Council of India, (received the assent of the Governor General on the 23rd May 1860.)

AN ACT FOR THE LEVY OF PORT DUES IN THE PORT OF BASSEIN.

Preamble.

Whereas it is necessary to fix the amount of the port dues to be hereafter levied and taken in the port of Bassein in accordance with the provisions of Act XXII of 1855; It is enacted as follows:—

Port due chargeable on sea-going vessels of ten tons and upwards entering the port.

1. A port due at a rate not exceeding the rate of four annas for every ton of burden shall be chargeable in respect of every sea-going vessel of the burden of ten tons and upwards which shall enter the said port.

Rate of port due on vessels compelled by stress of weather to enter port.

2. When any vessel enters the said port, being driven in by stress of weather, or in consequence of having sustained any damage, or for any other reason, but does not discharge or take in any cargo or passenger therein (with the exception of such un-shipment and re-shipment as may be necessary for the purpose of repair,) the port due chargeable in respect of such vessel shall be at a rate equal to one half the rate chargeable in respect of other vessels.

No port due on vessels compelled by stress of weather to re-enter port.

3. Provided that when any vessel having left the said port is compelled to re-enter it by stress of weather, or in consequence of having sustained any damage, no port due shall be chargeable in respect of such vessel.

No vessel to pay the port due oftener than once in sixty days.

4. No vessel shall be required to pay the port due chargeable under this Act oftener than once in sixty days.

Commencement of Act.

Rates of port dues to be published.

5. This Act shall commence and have effect from and after the 1st day of August 1860; and the local Government shall on or before that date, pursuant to section 42 Act XXII of 1855, declare, by notification to be published in the *Calcutta gazette*, rates at which port dues shall be levied in the said port, subject to the provisions of and within the limits prescribed by this Act: and from and after the said date no port due shall be levied at the said port except under the authority of Act XXII of 1855 and of this Act.

No port due to be levied except under Act.

Act to be read as part of Act XXII of 1855.

6. This Act shall be read with and taken as a part of Act XXII of 1855.

MARINE NOTIFICATION.

The flag-staff formerly at Dalhousie (which place has been entirely given up as a pilot station) has been erected on the S. E. point of Haingyee or Negrais island, and the following revised directions for entering the Bassein river are consequently published :—

SAILING DIRECTIONS

FOR ENTERING THE BASSEIN RIVER.

1. Strangers should not attempt the passage to the westward of Negrais island.

2. Vessels coming from the southward should bring Diamond island to bear N. W. then steer for it until the fair way buoy, which is situated 1½ mile N. E. of the island, is visible; when near the fair way buoy bring the flag-staff on the S. E. point of Haingyee on or a little shut in with the north east point of that island which will

place a ship nearly in mid-channel, she should then steer up the channel keeping these marks untill Pagoda point bears west (true) when she must haul more to the eastward, passing the flag-staff point about half a mile distant in about from 8 to 10 fathoms, when abreast of the flag-staff a vessel should not haul more to the northward or bring the flag-staff point to bear to the southward of S. W. ½ W. (true) until she has made rather better than half the distance between the flag-staff point and the north point of Haingyee; this is necessary to avoid a ridge of rocks, visible at low-water spring tides, that run out from the island and extend somewhat beyond a line drawn from point to point of the island, she may then haul in gradually and anchor in under the high land, with north point of the island bearing about N. W. by N. in 8 or 6 fathoms mud where in the south west monsoons smoother water will be found than higher up off Dalhousie.

It is here remarked that the centre of Diamond island kept on the line of bearing S. 29 W. or S. W. by S. ½ S., nearly, will carry a vessel up nearly as far as Dalhousie point clear of all dangers. Commanders of vessels are also informed of the necessity of paying careful attention to the set of the tides between Diamond island and Orestes shoal, they run near east and west and do not take the course of the river until they reach above the black buoy.

3. Vessels entering from the westward in latitude north of Diamond island should bring it to bear S. E.; steer in for it until the fair way buoy is made, then proceed as above directed for vessels entering from the southward. This passage however should be attempted by sailing vessels only in the north east monsoon.

4. Vessels unable from stress of weather to distinguish the different marks should anchor

under Diamond island, where good anchorage and smooth water is to be found.

The best and safest anchorage during the south west monsoon is with the north end of the island bearing W. ½ N. and distant one mile.

5. Pilots are usually to be had at or near Diamond island, should a pilot be on shore there when a vessel is seen approaching, a pilot jack will be hoisted at the mast head of the flag-staff erected on the island. But vessels not finding one, and being provided with Lieutenant Ward's chart, need have no hesitation in coming in as far as the north end of Haingyee; should a pilot be at Haingyee the pilot jack will be hoisted at the flag-staff erected on that island.

6. Buoys.

A first class red buoy marks the extreme south end of the Orestes shoal.

A first class red buoy marks the eastern limit of the Orestes shoal.

A first class black buoy marks the extreme edge of the shoal extending from Porian shore.

A first class red buoy marked F. W. in white letters is placed 1½ miles north east of Diamond island.

A small red buoy marks the extreme northern limit of the shoal extending off the north east end of Haingyee.

7. The shoal extending south of Haingyee is called the Orestes shoal, and that extending from Porian shore westward is called the Porian.

The sailing directions from Dalhouise or Negrais island to Bassein remain unchanged.

SAILING DIRECTIONS

FROM DALHOUSIE OR NEGRAIS ISLAND TO BASSEIN.

A vessel should proceed up the river about half a mile from the shore, until up to Yea Jone creek, from thence she should sheer over to eastern bank gradually until the black buoy on the south end of the ridge shoal is seen, which is to be passed, keeping it on the port hand about two cables' length, and keep on the eastern bank until after passing the red and white buoys, in the same manner as the black; then stand up mid-channel, passing the Sesostris rocks which are buoyed with a red buoy. The rocks lie in shore of the buoy. Keep on mid-channel until close up to Enterprize island, taking care to give the spit a berth that extends a little way down from the south end of the island. There is a passage on each side of the island, one to the east and one to the west. The passage to the left is preferable for a ship of light draft, as it is wide and there is more room to work.

The passage to the eastward is taken by vessels of large draft. Vessels should keep close to the eastern shore in order to avoid the Pariah rock.

In sailing up the passage left of Enterprize island, care must be taken not to approach too close to the spit that extends north of the island. Proceed up as far as the village of Toman Dewa, that lies in a creek on the port hand; then steer across to eastern bank between the red buoys and Elephant island, going nearer to the island than the buoy, until you get into 7 fathoms; then steer up on the eastern shore, until abreast of the Pamawaddie river; from this steer over towards Ashby rocks' buoy giving the Cockatoo rocks a berth of at least two cables' length. These rocks are seen above water, except at spring tides, when

they are covered. There are three patches; two of them show above water half ebb to half flood; one is sunken, and extends to 138 yards outside the others; the least water on it at dead low water spring tide is 16 feet. Keep the port shore until you reach the second creek, when the channel becomes much wider.

The junction is so called from being at the top or north end of Napoota Reach, where two branches of the river meet, the one from the east being the way to Bassein.

At Napoota Reach you may steer up until approaching the junction, where, on the eastern shore, a mud bank extends a quarter of a cable's length from the bushes; there is also a bank extending from the port side. These can be avoided by keeping in nearly mid-channel. In the third reach there is a bank of mud which will be known by a white board in the bushes. On the port hand this shoal extends nearly half way over, and the whole length of the reach in which it is, so that vessels must keep the starboard bank going up, and *vice versa* coming down. The remainder of the passage upwards is without danger and easy of navigation.

There is deep water close to the bank, and the ground chiefly very soft mud. Vessels should have a small warp anchor in readiness to run out if required, and should use a light working anchor for dropping; this will relieve the crew of a quantity of labor.

Vessels should shew their number before arriving at the village of Takion, and masters should report their arrival at the Master Attendant's office and Custom house as soon as possible.

NOTIFICATION.

10th September 1859.

With the sanction of the Governor General of India in Council, it is hereby declared that the port of Bassein and the navigable river and channels leading to the port are subject to Act XXII of 1855.

The limits of the said port of Bassein are as follows:— Limits of port of Bassein.

To the north.—A line drawn N. E. from south side of Kyouk-choung-gyee creek through Shoay Mein-den pagoda.

To the south.—A line drawn from the south bank of the Pamawaddie river N. W. through Ashby rocks.

To the east and west.—So much of the Bassein river within the above limits and the shores thereof as are within fifty yards of high-water mark, spring tides.

The limits of the navigable river and channels leading to the said port made subject to the said Act are as follows:— Limits of water communications leading thereto.

To the north.—The port of Bassein as above defined.

To the south.—A line drawn east and west through Parian point to south end of Diamond island, and from thence N. N. W. through Pagoda point. All parts of the Bassein river between the said limits, and below high-water line at spring tides, are subject to this Act.

ALGUADA REEF LIGHT HOUSE.

A first class revolving light was exhibited for the first time from the Alguada reef, in the bay of Bengal, on the night of the 23rd April 1865, and will continue to be shown from that date. Alguada reef light.

The light, which is 144 feet above high-water mark, attains its greatest brilliancy once a minute; and is visible, in clear weather, 20 nautical miles from the poop of a large ship.

Cape Negrais bears from the Light house N. ¼ W. The pagoda on Pagoda point—N. ¾ E. Porian point N. E. by N. The centre of Diamond island N. N. E.

Vessels approaching the Alguada reef will still find it necessary to be careful. The tides when uninfluenced by the wind, set across the reef, and with a good deal of strength between the reef and the Phæton shoal. Vessels therefore should not come under 20 fathoms, on the north-western side, as the water shoals suddenly on this side, especially towards the south-west part of the rocks.

Fifteen fathoms will be a safe depth to pass in, on the southern and eastern sides.

There is a good channel to the north of the reef, between it and the Phæton shoal; but the navigation must always be attended with some risk, to those unacquainted with it, there being no plain marks that can be specified as a safe and sure guide through. Should, however, circumstances compel a vessel to go through the northern channel, it will be well to borrow on the Alguada reef side, passing about half a mile distant from the north-easternmost visible rock, and not coming under 11 fathoms. Should it be high-water the breakers will show the rocks.

On the eastern side of the reef vessels may know they are clear of danger by keeping the highland of Heingyoe (or Negrais island) well open to the eastward of Diamond island.

DOUBLE ISLAND LIGHT HOUSE.

Notice is hereby given that a light has been established on Double island in the gulf of Martaban, bay of Bengal. Double island light.

The light was first exhibited on the 4th of December 1865, and will continue to be shewn hence forward, nightly, from sun-set to sun-rise.

The light is a first class fixed dioptric light, and is visible in clear weather about 19 nautical miles from the deck of a large ship. It shows through an angle of 164° 30' illuminating the western horizon and is cut off on two bearings, respectively N. N. W. and S. ¾ E. from the Light house, the former passing one and a half miles clear of the Patch buoy off Amherst to the west, and the latter one and a quarter miles clear of Callagouk island also to the west; an isolated beam of light shows from the Patch buoy eastward as far as Amherst point. Character of light.

Amherst point bears from the light N. ¾ W. Patch buoy N. by W. ½ W. Callagouk island (W. point) S. by E.

Double island is in latitude 15° 52' 30" N.; longitude 97° 36' 30" E. Vessels after making the light should endeavour to keep it between the bearings of S. E. and N. E., paying particular attention to the state of the tides, as they run on the springs about 5 knots an hour parallel with the coast; vessels standing in too close to the land will lose the light altogether, but so long as the light is kept in sight they will be in no danger until they are ten miles to the northward of it, when they will be approaching the Goodwin sands, where the tides set very strong. The anchoring ground in the vicinity of Double island is very good—but of course on account of the strength of the tides vessels should avoid as much as possible the risk of anchoring in such deep water.

NOTIFICATION.

The 19th October 1857.

With the sanction of the Governor General of India in Council, it is hereby declared that the port of Maulmain, and the navigable river and channels leading to that port, are subject to Act XXII of 1855.

The limits of the said port of Maulmain are as follows :—

To the north.—A line drawn across the Salween river from the great Martaban pagoda to the boundary pillar at the junction of the Attaran and Salween rivers.

To the south.—A line drawn fron the boundary pillar at the mouth of the Kyouktan creek to the boundary pillar on the island of Beeloogyoon, immediately opposite. So much of the Martaban branch of the Salween river as lies to the east of a line drawn from the great Martaban pagoda to the boundary pillar on the north-east corner of the island of Beeloogyoon.

The limits of the said port include to the east and west, so much of the river Salween and of the shores thereof, as are within 50 yards of high-water mark, spring tides.

The limits of the navigable river and channels leading to the said port of Maulmain made subject to the said Act are as follows :—

To the north.—The port of Maulmain as above defined.

To the south.—A line drawn from Double island to the western shore of Beeloogyoon.

12th April 1866.

Notice is hereby given, that the Governor General in Council has sanctioned the following alteration in the limits of the navigable river and

channels leading to the ports of Rangoon and Maulmain :—

Within the space described by 16° of north latitude as the southern boundary, and north of that degree to the coast within east longitude 96° and east longitude 97° 35"

RULES AND RATES OF HIRE

FOR BOATS, FROM MAIN WHARF, KALADAN MUSJEED, KYKEPENAY PAGODA, OOLOOBEING'S WHARF, AND MYANGOON BAZAAR.

Police notice.

The various Police regulations concerning hack boats in the port of Maulmain, having been collected together and revised, are published for general information. Tables of the rates of hire recognized by the Magistrate will be published as soon as prepared, and a copy will be suspended at each of the usual resorts of hack boats. These regulations do not apply to cargo boats, for which a separate code is in preparation.

Each boat to be registered and licensed.

No boat to ply for hire within the port of Maulmain, unless registered and licensed by the Magistrate. If the boat be sold, fresh registry and license must be had.

Number necessary.

2. Each boat will bear its number in a conspicuous place, the number of its crew, and the number of persons it may carry.

Owners responsibilities.

3. The owner will be held answerable for the conduct of his crew, that his boat be kept clean and serviceable, that any accident happening to crew or passengers is duly reported, and that any property forgotten in the boat is at once delivered up, either to the owner or at the Police office.

Duties of owner.

4. The owner is bound to let his boat (if at or near any public landing-place) on hire, on fare

being tendered, to proceed to any place within one tide, at all times, weather permitting; but it will be optional with the owner to hire his boat beyond Natmoo, from 1st April to 31st October. The Magistrate will fix places at which boats may be hauled up, when the owners are unable or unwilling to ply them.

Fees.

5. A fee of one rupee, and no more, to be paid on each registry, which must be renewed yearly.

Rates.

6. Table of rates of hire, which the Magistrate recognizes as reasonable, will be hung up at each principal landing-place. The rates will be liable to revision should experience prove them in any case to be unfair.

Penalties.

7. Breach of these rules will render the offender liable to a fine, which may extend to fifty rupees, or two months' imprisonment.

RATES of HIRE for BOATS plying from MAIN WHARF, carrying ONE PASSENGER to and from the undermentioned places, (staying half an hour at the place, if within the limits of town,) with a reasonable quantity of baggage.

NAMES OF PLACES.	Distance in miles.	Boats with 2 oars. rs.	as.	4 oars. rs.	as.	6 oars. rs.	as.	Extra for every additional passenger. rs.	as.	p.
WITHIN THE LIMITS OF THE TOWN.										
1 The steamer, ...	¼		3		4		6			6
2 Exchange bazaar, ...	¼		3		4		6			6
3 Main or big bazaar, ...	¼		3		4		6			6
4 Battery point, ...	1		4		6		8		1	
5 Kykepenay pagoda, ...	2¼		6		10		12		1	
6 Timber bond station; Dine-woon-quin,	3½		12	1		1	8		2	
7 Nyoung-been-zeik. ...	5¼	1		1	8	2			2	6
8 Nantay, ...	7¼	1	4	1	12	2	8		3	
9 Myangoon bazaar, ...	¼		2		4		6			6
10 Akoonwoon's wharf, ...	¾		3		4		6			6
11 Ooloobeing's wharf, ...	1		4		6		8		1	
12 Moungan bazaar, ...	1½		6		8		12		1	6
13 Mackey & Co.'s yard, ...	2		6		8		12		2	
14 Coal depôt, ...	2¼		8		12	1			2	
15 Gardner, Brooke & Co.'s saw mill, ...	2¾		8		12	1			2	6
16 Todd, Findlay & Co.'s do. ...	3½		12	1		1	4		3	
17 Captain Lyster's yard, ...	3¾	1		1	4	1	8		3	
18 Miller and Buchanan's yard, ...	4	1	4	1	8	2			3	
19 Kyouktan, ...	4¼	1	4	1	12	2	8		3	
Detention beyond half an hour, *per hour* or part of an hour, ...			2		4		8			
Half the above rates to GO *only, leaving the fare.*										
N. B.—Boats engaged after 9 P.M. and before gun fire A.M. to be charged for at half more than the above rates.										
Boats engaged per day; *per day,* ...		2		3		4				
half day, ...		1	4	1	12	2	8			
OUT OF THE LIMITS OF THE TOWN.										
1 Dougnyat,	1		8		12	1				
2 Maunine or Kulwee, returning with the flood tide, ...	5	1	4	2		2	8			
3 Daray, ,, ,, ,, ,, ...	7	2		3		4				
4 Martaban, ...	3		12	1		1	8			
5 Kautoon, returning with ebb tide, ...	7	1	6	2		2	8			
6 Kadoe, ,, ,, ,, ...	9	1	8	2	8	3				
7 Zathabain, ,, ,, ,, ...	13	2		3		4				
8 Damathat, ,, ,, ,, ...	19	3	8	5		7				
9 Natmoo, returning with the flood tide,	10	2		3		4				
10 Halfway creek, ,, ,, ,, ...	14	3		4		5				
11 Fishing village, ,, ,, ,, ...	19	4		5		7				
Amherst—*to go only;*	28	4		6		8				
Returning with same passenger by second flood tide, ...		2		3		4				

RATES of HIRE for BOATS plying from KALADAN MUSJEED, carrying ONE PASSENGER to and from the undermentioned places, (staying half an hour at the place, if within the limits of town,) with a reasonable quantity of baggage.

NAMES OF PLACES.	Distance in miles.	Boats with 2 oars.		Boats with 4 oars.		Boats with 6 oars.		Extra for every additional passenger.		
		rs.	as.	rs.	as.	rs.	as.	rs.	as.	p.
WITHIN THE LIMITS OF THE TOWN.										
1 Battery point, ...	¼		2		4		6			6
2 Kykepenay pagoda, ...	1¼		4		6		8		1	
3 Timber bond station, Dine-woon-quin,	2⅛		8		12	1			2	
4 Nyoung-been-zeik, ...	4½		12	1	4	1	8		2	6
5 Nantay, ...	6½	1		1	8	2	4		3	
6 Main or big bazaar, ...	½		2		4		6			6
7 Exchange bazaar, ...	¾		3		4		6		1	
8 Main wharf, ...	1		4		6		8		1	
9 Myangoon bazaar, ...	1½		6		8		12		1	6
10 Akoonwoon's wharf, ...	1¾		6		8		12		2	
11 Ooloobeing's wharf, ...	2		6		8		12		2	6
12 Moungan bazaar, ...	2½		8		12	1			2	6
13 Mackey & Co.'s yard, ...	3		10		14	1	4		2	6
14 Coal depôt, ...	3¼		12	1		1	4		2	6
15 Gardner, Brooke & Co.'s saw mill, ...	3¾		12	1		1	4		3	
16 Todd, Findlay & Co.'s do. ...	4½	1		1	4	1	8		3	
17 Captain Lyster's yard, ...	4¾	1	4	1	8	2			3	
18 Miller and Buchanan's yard, ...	5	1	4	1	8	2			3	
19 Kyouktan, ...	5½	1	8	2		2	8		3	
Detention beyond half an hour, *per hour* or part of an hour, ...			2		4		8			

Half the above rates to go only, leaving the fare.

N. B.—Boats engaged after 9 P.M., and before gun fire A.M. to be charged for at half more than the above rates.

Boats engaged per day, *per day,* ...		2		3		4				
half day, ...		1	4	1	12	2	8			
OUT OF THE LIMITS OF THE TOWN.										
1 Kautoon, returning with the ebb tide,	6	1	4	1	8	2				
2 Kadoe, ,, ,, ,, ,, ...	8	1	8	2		2	8			
3 Zathabain, ...	12	2		3		4				
4 Damathat, ...	18	3	8	5		6				
5 Martaban, ...	2		8		12	1				
6 Doungnyat, ...	2		8		12	1				
7 Maunine or Kulwee, returning with the flood tide, ...	4	1		1	8	2				
8 Daray, ...	6	2		3		4				
9 Natmoo, ...	11	2		3		4				
10 Halfway creek, ...	15	3		4		5				
11 Fishing village, ...	20	4		5		7				
Amherst—*to go only,* ...	29	4		6		8				
Returning with same passenger by second flood tide, ...		2		3		4				

RATES of HIRE for BOATS plying from KYKEPENAY PAGODA, carrying ONE PASSENGER to and from the undermentioned places (staying half an hour at the place, if within the limits of the town,) with a reasonable quantity of baggage.

NAMES OF PLACES.	Distance in miles.	Boats with 2 oars.		Boats with 4 oars.		Boats with 6 oars.		Extra for every additional passenger.		
		rs.	as.	rs.	as.	rs.	as.	rs.	as.	p.
WITHIN THE LIMITS OF THE TOWN.										
1 Timber bond station, Dine-woon-quin,	1¼		4		6		8		1	
2 Nyoung-been-zeik, ...	3¼		12	1		1	4		2	6
3 Nantay, ...	5	1		1	8	2			3	
4 Battery point, ...	1		4		6		8		1	
5 Main or big bazaar, ...	1¼		6		8		12		1	
6 Exchange bazaar, ...	1¾		6		8		12		1	
7 Main wharf, ...	2¼		6		10		12		1	6
8 Myaugoon bazaar, ...	2¾		8		12	1			2	
9 Akoonwoon's wharf, ...	3		8		12	1			2	6
10 Ooloobeing's wharf, ...	3¼		8		12	1			3	
11 Moungan bazaar, ...	3¾		12			1	4		3	
12 Mackey & Co.'s yard, ...	4¼		14	1	2	1	6		3	
13 Coal depôt, ...	4½	1		1	4	1	8		3	
14 Gardner, Brooke & Co.'s saw mill, ...	5	1	2	1	6	1	12		3	
15 Todd, Findlay & Co.'s do. ...	5¾	1	4	1	8	2			3	
16 Captain Lyster's yard, ...	6	1	6	1	12	2	4		3	
17 Miller and Buchanan's yard, ...	6¼	1	8	2		2	8		3	
18 Kyouktan, ...	6¾	1	12	2	8	3			3	
Detention beyond half an hour, *per hour* or part of an hour, ...			2		4		8			

Half the above rates to GO *only, leaving the fare.*

N. B.—Boats engaged after 9 P.M. and before gun fire A.M. to be charged for at half more than the above rates.

Boats engaged per day, *per day,* ...		2		3		4				
half day, ...		1	4	1	12	2	8			
OUT OF THE LIMITS OF THE TOWN.										
1 Zathabain, returning with the ebb tide,	11	2		3		4				
2 Damathat, ,, ,, ,, ...	17	3		4		6				
3 Kadoe, ,, ,, ,, ...	7	1	4	1	12	2	8			
4 Kautoon, ,, ,, ,, ...	5	1		1	8	2				
5 Martaban, ,, ,, ,, ...	2		12	1		1	8			
6 Doungnyat, ,, ,, ,, ...	4	1		1	4	2				
7 Maunino or Kulwoe, returning with the flood tide, ...	6	1	8	2	4	3				
8 Daray, ,, ,, ,, ...	8	2		3		4				
9 Natmoo, ,, ,, ,, ...	12¼	2		3		4				
10 Halfway creek, ,, ,, ,, ...	16¼	3		4		5				
11 Fishing village, ,, ,, ,, ...	21¼	4		5		7				
Amherst—*to go only,* ...	30¼	4		6		8				
Returning with same passenger by second flood tide, ...		2		3		4				

RATES of HIRE for BOATS plying from OOLOOBEING'S WHARF, carrying ONE PASSENGER to and from the undermentioned places, (staying half an hour at the place, if within the limits of the town,) with a reasonable quantity of baggage.

NAMES OF PLACES.	Distance in miles.	Boats with 2 oars.		Boats with 4 oars.		Boats with 6 oars.		Extra for every additional passenger.		
		rs.	as.	rs.	as.	rs.	as.	rs.	as.	p.
WITHIN THE LIMITS OF THE TOWN.										
1 Akoonwoon's wharf, ...	¼		2		4		6			6
2 Myangoon bazaar, ...	½		3		4		6			6
3 Main wharf, ...	1		4		6		8		1	
4 Exchange bazaar, ...	1½		6		8		12		1	6
5 Main or big bazaar, ...	1¾		6		8		12		2	
6 Battery point, ...	2¼		8		12	1			2	
7 Kykepenay pagoda, ...	3¼		10	1		1	4		2	
8 Timber bond station, Dine-woon-quin,	4½	1		1	6	1	12		3	
9 Nyoung-been-zeik, ...	5½	1	8	2		2	8		3	
10 Nantay, ...	8¼	2		2	8	3			3	
11 Moungan bazaar, ...	½		3		4		6			6
12 Mackey & Co.'s yard, ...	1		4		6		8		1	
13 Coal depôt, ...	1¼		4		6		8		1	6
14 Gardner, Brooke & Co.'s saw mill, ...	1¾		8		12		12		1	6
15 Todd, Findlay & Co.'s do. ...	2½		10		14	1	4		2	
16 Captain Lyster's yard, ...	2¾		12	1		1	4		2	6
17 Miller and Buchanan's yard, ...	3	1		1	4	1	8		3	
18 Kyouktan, ...	3½	1	4	1	8	2			3	
Detention beyond half an hour, *per hour* or part of an hour, ...			2		4		8			
Half the above rates to GO *only, leaving the fare.*										
N. B.—Boats engaged after 9 P.M. and before gun fire A.M. to b charged for at half more than the above rates.										
Boats engaged per day, *per day,* ...		2		3		4				
half day; ...		1	4	1	12	2	8			
OUT OF THE LIMITS OF THE TOWN.										
1 Doungnyat, ...	3		10	1		1	8			
2 Maunine or Kulwee, returning with the flood tide, ...	6	1	12	2	8	3				
3 Daray, ,, ,, ,, ...	8	2		3		4				
4 Martaban, ,, ,, ,, ...	4	1		1	8	2				
5 Kautoon, returning with the ebb tide,	8	1	8	2		2	8			
6 Kadoe, ...	10	1	12	2	8	3				
7 Zathabain, ...	14	2		3		4				
8 Damathat, ...	20	4		5		6				
9 Natmoo, returning with the flood tide,	9	2		3		4				
10 Halfway creek, ...	13	3		4		5				
11 Fishing village, ...	18	4		5		7				
Amherst—*to go only,* ...	27	4		6		8				
Returning with same passenger by second flood tide, ...		2		3		4				

RATES of HIRE for BOATS plying from AKOONWOON'S WHARF, carrying ONE PASSENGER to and from the undermentioned places, (staying half an hour at the place, if within the limits of the town,) with a reasonable quantity of baggage.

NAMES OF PLACES.	Distance in miles.	Boats with 2 oars. rs.	2 oars. as.	4 oars. rs.	4 oars. as.	6 oars. rs.	6 oars. as.	Extra for every additional passenger. rs.	as.	p.
WITHIN THE LIMITS OF THE TOWN.										
1 Myangoon bazaar, ...	¼		2		4		6			6
2 Main wharf, ...	¾		3		4		6			6
3 Exchange bazaar, ...	1¼		4		6		8		1	
4 Main or big bazaar, ...	1½		6		8		12		1	6
5 Battery point, ...	2		6		8		12		1	6
6 Kykepenay pagoda, ...	3		10		12	1			2	
7 Timber bond station, Dine-woon-quin,	4¼	1		1	4	1	8		2	6
8 Nyoung-been-zeik, ...	6¼	1	4	1	12	2	8		3	
9 Nantay, ...	8	1	8	2	4	3			3	
10 Ooloobeing's wharf, ...	¼		2		4		6			6
11 Moungan bazaar, ...	¾		3		4		6			6
12 Mackey & Co.'s yard, ...	1¼		4		6		8		1	
13 Coal depôt, ...	1½		6		8		12		1	6
14 Gardner, Brooke & Co.'s saw mill, ...	2		8		12	1			2	
15 Todd, Findlay & Co.'s do. ...	2¾		10		14	1	2		2	6
16 Captain Lyster's yard, ...	3		12	1		1	3		3	
17 Miller and Buchanan's yard, ...	3¼	1		1	4	1	8		3	
18 Kyouktan, ...	3¾	1	4	1	8	2			3	
Detention beyond half an hour, *per hour* or part of an hour, ...			2		4		8			

Half the above rates to GO *only, leaving the fare.*

N. B.—Boats engaged after 9 P.M. and before gun fire A.M. to be charged for at half more than the above rates.

Boats engaged per day, per day, ...		2		3		4				
half day, ...		1	4	1	12	2	8			
OUT OF THE LIMITS OF THE TOWN.										
1 Doungnyat, ...	2¾		10		14	1	4			
2 Maunine or Kulwee, returning with the flood tide, ...	5¾	1	8	2		2	8			
3 Daray, ,, ,, ,, ...	7¾	2		3		4				
4 Martaban, ...	3¾	1		1	6	1	12			
5 Kautoon, returning with ebb tide, ...	7¾	1	8	2		2	8			
6 Kadoe, ,, ,, ,, ...	9¾	1	12	2	8	3				
7 Zathabain, ,, ,, ,, ...	13¾	2		3		4				
8 Damathat, ,, ,, ,, ...	19¾	4		5		6				
9 Natmoo, returning with the flood tide,	9¼	2		3		4				
10 Halfway creek, ,, ,, ,, ...	13¼	3		4		5				
11 Fishing village, ,, ,, ,, ...	18¼	4		5		7				
Amherst—*to go only,* ...	27¼	4		6		8				
Returning with same passenger by second flood tide, ...		2		3		4				

RATES of HIRE for BOATS plying from MYANGOON BAZAAR, carrying ONE PASSENGER to and from the undermentioned places, (staying half an hour at the place, if within the limits of the town,) with a reasonable quantity of baggage.

NAMES OF PLACES.	Distance in miles.	Boats with 2 oars. rs.	2 oars. as.	4 oars. rs.	4 oars. as.	6 oars. rs.	6 oars. as.	Extra for every additional rs.	Extra for every additional as.	Extra for every additional p. passenger.
WITHIN THE LIMITS OF THE TOWN.										
1 Main wharf, ...	½		2		4		6			6
2 Exchange bazaar, ...	1		4		6		8		1	
3 Main or big bazaar, ...	1¼		4		6		8		1	
4 Battery point, ...	1¾		6		8		12		2	
5 Kykepenay pagoda, ...	2¾		8		12	1			2	6
6 Timber bond station, Dine-woon-quin,	4		14	1	4	1	12		3	
7 Nyoung-been-zeik, ...	6	1		1	8	2			3	
8 Nantay, ...	7¾	1	4	1	12	2	8		3	
9 Akoonwoon's wharf, ...	¼		2		4		6			6
10 Ooloobeing's wharf, ...	½		3		4		6			6
11 Moungan bazaar, ...	1		4		6		8		1	
12 Mackey & Co.'s yard, ...	1½		6		8		12		1	6
13 Coal depôt, ...	1¾		6		8		12		2	
14 Gardner, Brooke & Co.'s saw mill, ...	2¼		8		12	1			2	
15 Todd, Findlay & Co.'s do. ...	3		10		14	1	4		2	6
16 Captain Lyster's yard, ...	3¼		12	1		1	4		3	
17 Miller and Buchanan's yard, ...	3½	1		1	4	1	8		3	
18 Kyouktan, ...	4	1	4	1	8	2			3	
Detention beyond half an hour, *per hour* or part of an hour, ...			2		4					
Half the above rates to GO *only, leaving the fare.*										
N. B.—Boats engaged after 9 P.M., and before gun fire A.M. to be charged for at half more than the above rates.										
Boats engaged per day, *per day,* ...		2		3		4				
half day, ...		1	4	1	12	2	8			
OUT OF THE LIMITS OF THE TOWN.										
1 Doungnyat, ...	2½		10		14	1	4			
2 Maunine or Kulwee, returning with the flood tide, ...	5½	1	8	2		2	8			
3 Daray, ,, ,, ...	7½	2		3		4				
4 Martaban, ...	3½		12	1		1	8			
5 Kautoon, returning with the ebb tide,	7½	1	8	2		2	8			
6 Kadoe, ,, ,, ...	9½	1	12	2	8	3				
7 Zathabain, ,, ,, ...	13½	2		3		4				
8 Damathat, ,, ,, ...	19½	3	8	5		6				
9 Natmoo, returning with the flood tide,	9½	2		3		4				
10 Halfway creek, ,, ,, ...	13½	3		4		5				
11 Fishing village, ,, ,, ...	18½	4		5		7				
Amherst—*to go only,* ...	27½	4		6		8				
Returning with same passenger by second flood tide, ...		2		3		4				

NOTIFICATIONS AND ORDERS

HAVING REFERENCE TO THE PORTS OF ARAKAN.

BENGAL, No. 2538, 25th September 1856.

The Honorable the Lieutenant Governor of Bengal is pleased to declare Akyab to be a port of registry under Act X of 1841.

BENGAL, No. 4530, 19th July 1859.

The Collector of customs at Akyab to be *ex officio* Shipping Master at the port of Akyab, under section 8 of Act I of 1859.

BENGAL, No. 6686, 29th October 1859.

Under the provisions of section 5, Act XXI of 1858, the following officers have been vested with the powers to be exercised under that enactment, viz :—

* * * *

Collector of customs, Akyab.

* * * *

The 21st November 1859.

It is hereby notified that according to the provisions of section 11, Act XXI of 1858, the Lieutenant Governor has appointed Calcutta, Balasore, Chittagong and Akyab to be the ports from which native passenger vessels, as described in section 1 of the above Act, may proceed on a voyage to any port or place in the Red Sea or Persian gulf.

As required by section 16 of the above Act, it is hereby declared that the probable duration

of the voyage of native passenger ships from Bengal to ports in Arabia and Persia shall be reckoned as follows :—

Bengal	Arabia.										Persia.				Periods of year
	Maculla.	Aden.	Mocha.	Haduda.	Mossowah.	Djidda.	Suakin.	Yembo.	Cassen.	Suez.	Muscat.	Bunder Abbass	Abushire.	Bosrah.	
Akyab	29	31	34	37	39	49	49	54	59	69	41	49	64	69	October
Return	28	30	31	32	35	40	40	43	45	50	30	33	35	40	to February

Bengal, 11th July 1860.

It is hereby notified that according to the provisions of Act XXV of 1859, the Lieutenant Governor has appointed Calcutta and Chittagong in Bengal and Akyab and Kyouk Phyoo in the province of Arakan, as ports from whence native passengers can be embarked upon or disembarked from native vessels, under licenses to carry more passengers than one to every four tons of burthen.

The following officers have been appointed to grant licenses to vessels under the above Act, and to perform such other duties as Collectors of sea customs, or such other persons as the local Government may from time to time appoint for the purpose—are by the above act authorized and directed to perform.

The Master Attendant at Calcutta.

The Conservator of the port of Chittagong.

The Marine Assistant to the Commissioner at Akyab.*

The Conservator of the port of Kyouk Phyoo.

* Now styled the Master Attendant at Akyab.

No license shall be granted under this Act, except for vessels within the exceptions in section 2, until the vessel has been properly surveyed as to her seaworthiness, and to her having the necessary number of boats, anchors and cables, and instruments for the purpose of navigation, also as to the space assigned for the accommodation of passengers.

The following scale, according to which provisions shall be furnished by vessels carrying passengers under license as aforesaid, has been appointed under section 7 of the said Act, by the Lieutenant Governor of Bengal.

FOR EACH ADULT PASSENGER PER DIEM :—

Rice	...	...	...	...1	lb.
Dholl	...	...	...	...3	oz.
Salt	...	...	...	...8	drms.
Turmeric	...	...	...	...8	drms.
Onions	...	...	...	...1	oz.
Chillies	...	...	...	...2	drms.
Firewood	...	...	...	...½	lb.
Water	...	...	...	...3	quarts.

When the voyage is beyond fifteen days then a reasonable supply of yams or pumpkins is to be added.

Two children under ten years of age shall be counted as one passenger in supplying the above scale.

FORM OF LICENSE

(License to convey native passengers under Act XXV of 1859.)

The (sloop, brig or)

(Tindal, serang or nakhodah) having duly complied with the regulations under above Act, is hereby authorized and permitted to convey

(number*) native passengers (names† as per annexed schedule) from to

Marine Assistant's Office‡

The 186

Marine Assistant.§

SCHEDULE FORM.

1	2	3	4	5	6	7
Name of vessel.	Name of master.	Tons per register.	Port of embarkation.	Number and name of passengers.	Port at which passengers have contracted to be loaded.	Date of departure.

Marine Assistant's office‡

The 186

Marine Assistant.§

NOTE.—In the case of vessels carrying passengers to Ceylon, or between Chittagong and any port or place on the coast of Arakan, it will be sufficient to insert the number, and not the names, of passengers in column 5.

LIGHT HOUSE AND BEACON

OFF THE COAST OF ARAKAN.

30th June 1863.

Savage light house.

The fixed light on the Savage island, at the mouth of the Arakan river, is the only light at present on the Arakan coast; the latest and best

* Number only from Chittagong to Arakan.

† Names from or to any more distant port.

‡ Now styled Master Attendant's Office.

§ Now styled Master Attendant.

admiralty charts are therefore wrong in putting a fixed light on the Terribles in lat. 10° 23' long. 17°. The light on the table land of the western Bolongo, having been placed as an experiment for 12 months, has been removed. The small table land as it is called, is formed by the tops of trees a portion of which were cut away to erect the Light house; the table is consequently destroyed. It may now be called the highest part of the western Bolongo.

The red light on Fakeer point at the northern entrance of the Arakan river has been discontinued for many years.

A flag-staff beacon with ball at top-mast head stands on Oyster island, height above the level of the sea 82 feet, and bears from the Great Savage Light house N. 69, West, distance 21 miles.

No. 21, 19th January 1864.

Inquiries into shipwrecks and casualties.

1. Inquiries in cases of wreck and casualty are ordinarily made agreeably to sections 100, 101, and 102 of Act I of 1859, by two persons specially named by the *local Government* to hold the investigation.

2. Where time will not admit of notice being sent to the *local Government*, the principal Court of ordinary criminal jurisdiction at a port, will, under section 4 of Act XV of 1863, be the proper authority before which such inquiries are to be held.

Court of jurisdiction.

3. The principal Court of ordinary jurisdiction at and for the town and port of Akyab, is that of the town Magistrate for the time being.

4. But in any case which may occur it has been ordered that it will be better, if possible, to report the circumstances, in order that a Court may be convened under the orders of the Supreme Goverment.

RULES

HAVING REFERENCE TO FREIGHT ON PRIVATE CARGO CARRIED IN GOVERNMENT VESSELS.

Dated Akyab, 2nd October 1863.

1st.—The conveyance of private cargo in any of the vessels of Government is strictly prohibited, except in cases where its conveyance may be specially ordered by competent authority.

2nd.—Freight on private cargo is not to be levied by the commander of a Government vessel, unless he be ordered so to do by competent authority.

3rd.—Freight on cargo is not, under any circumstances, to form part of the emoluments of either commander or officers of Government vessels; but is, whenever it may be received by them, to be considered as public money, and as such made over to the officer of the department whose duty it may be to receive the same on account of Government.

4th.—Commanders of Government vessels are required to make a special report of all private cargo that may be received on board the vessel under their command, specifying the authority under which it has been shipped, and whether or not any freight has been levied upon it.

Regulations of the port of Akyab under Act XXII of 1855.

BENGAL, No. 604, 23rd October 1856.

With the sanction of the Governor General of India in Council, it is hereby declared that the port of Akyab is subject to Act XXII of 1855.

The limits of the said port of Akyab are as follows:—

South. *To the South.*—A line drawn from the boundary pillar on Fakeer's point of the Great Savage Light

house, from thence to the northernmost point of Walekeon island, and from thence to the boundary pillar on the north bank of the Toungpoomrit creek.

To the North.—A line drawn from the boundary pillar on the north bank of the Mongie creek to the boundary pillar on the north bank of the Toungpoomrit creek. North.

So much of the Cherogyah nullah as lies to the eastward of a line drawn from the boundary pillar at the eastern extremity of the Government banks-hall to the boundary pillar on the opposite side of the nullah, and so much of the Jullie Khallie or Pytsick Keing as lies to the eastward of the Jullie Khallie bridge.

The limits of the said port include all piers, jetties, landing-places, wharves, and quays, and so much of the shore as is within 50 yards of high-water mark, spring tides. Limits.

PORT RULES.

With the sanction of the Governor General of India in Council the following port rules have been made and are hereby promulgated for general information and guidance :—

1. Vessels may enter or go out of the port of Akyab at any hour of the day or night, but the masters of all vessels are to enter correctly in the columns of the report book of the Conservator or such other officer as the local Government shall appoint, as soon as presented, the information therein required. Procedure regarding arrivals and departures of vessels.

2. All vessels within the port of Akyab shall be bound to take up such berth as may be appointed for them by the Conservator of the port or such other officer as the local Government shall appoint, and shall not change their berths or Berth of each vessel by whom appointed.

remove except by or with the permission of such authority.

Requisitions of port Conservators to be invariably attended to.

3. All vessels within the port of Akyab shall, on the requisition of the Conservator of the port, or such other officer as the local Government shall appoint, rig in their jib and driver booms, and shall strike their yards and masts if required so to do by either of those officers.

4. Every ship or vessel within the port of Akyab shall remove any anchor or spar or other substance projecting from her side, when required to do so by the Conservator of the port, or such other officer as the local Government shall appoint.

5. A free channel of 240 yards width is to be kept for ships moving up or down the river within the port, and also free passages to piers, jetties, landing-places, wharves, quays, docks, and moorings ; and all vessels shall be bound to move when required to clear such channels or passages.

6. All Vessels within the port of Akyab shall anchor, moor, and unmoor when and where required by the Conservator of the port, or such other officer as the local Government shall appoint.

7. All vessels within the port of Akyab shall be moved or warped from place to place as required by the Conservator of the port, or such other officer as the local Government shall appoint; and no vessel shall cast off a warp that has been made fast to her to assist a vessel in moving without being required so to do by the pilot or officer in charge of the vessel moving.

8. No vessel shall use any of the Government chain moorings, whether fixed or swinging, without permission of the Conservator of the port, or such other officer as the local Government shall appoint.

9. All vessels occupying Government moorings, fixed or swinging, shall be liable to pay for the same according to the following scale, and no more :— Rates for occupying Government moorings.

For fixed moorings.	From 1st November to 1st May 6 months.	From 2nd May to the last day of October.
	per diem.	per diem.
All vessels up to 199 tons, ...	1 rupee.	3 rupees.
Do. from 200 ,, 299 ,, ...	2 rupees.	4 ,,
Do. ,, 300 ,, 399 ,, ...	3 ,,	5 ,,
Do. ,, 400 ,, 499 ,, ...	4 ,,	6 ,,
Do. ,, 500 ,, 599 ,, ...	5 ,,	7 ,,
Do. ,, 600 and upwards, ...	6 ,,	8 ,,
Swinging moorings, ...	3 ,,	4 ,,

10. All vessels within the limits of the port shall, when at anchor between sun-set and sun-rise, have a good light hoisted at the starboard fore-yard-arm; and all vessels under weigh at night shall show a good light at the fore-royal or upper fore-mast-head; and when under weigh in tow of a steamer shall in addition to the mast-head light show a good light at each fore-yard-arm; the steamer showing the usual lights prescribed by the admiralty regulations. Lights when and how to be shown.

The provisions of sections 28, 37, and 40, of the said Act XXII of 1855 are hereby specially extended to the port of Akyab.

Additional port rules for Akyab under Act XXII of 1855.

BENGAL, 17th December 1861.

In conformity with section 7 of Act XXII, of 1855, and with the sanction of the Governor General of India in Council, the following additional rules for the port of Akyab are herewith promulgated for general information and guidance.

License required for cargo or other boats.

11. Every cargo or other boat plying for hire within the port of Akyab shall be bound to take out a license annually from the Conservator of the port; every licensed boat shall be numbered and marked as may be directed by the Conservator of the port, and its license shall be liable to withdrawal on its being proved that it has infringed the rules of the port.

12. No boat of less than eight tons burthen shall be allowed to be employed in discharging ballast, except under extraordinary circumstances and with the special sanction of the Conservator of the port.

Regulations of the port of Kyouk Phyoo under Act XXII of 1855.

BENGAL, No. 422, 24th October 1857.

With the sanction of the Governor General of India in Council, it is hereby declared that the port of Kyouk Phyoo is subject to Act XXII of 1855.

Limits of port.

The limits of the said port of Kyouk Phyoo are as follows:—

East.

To the East.—A line drawn from Volcano point to the western end of Buffalo island, again from a north-west point on that island to the south-eastern point of Tankaro island.

North.

To the North.—From the south-eastern point of Tankaro island westward along the southern side of that island to a fixed mark, thence to the north-east point of the island of Lekgnyo-gnon, and along its south-eastern shore to its south-eastern point, thence again to the south-eastern point of One Tree island.

West.

To the West.—A line drawn from the south-eastern point of One Tree island to Deadman's point.

To the South.—From Deadman's point easterly along the Kyouk Phyoo beach up to Pregnphroomoh, from thence up the left bank of the Oonkhyoung creek to a mark fixed above the salt golahs, from thence to another mark fixed on the opposite side of the creek, and from thence down its right bank to Volcano point. South.

The limits of the said port include all piers, jetties, landing-places, and so much of the shore as is within 50 yards of high-water mark at spring tides.

PORT RULES.

1. Vessels may enter or go out of the port of Kyouk Phyoo at any hour of the day or night, but the masters of all vessels are to enter correctly, in the columns of the report book of the Conservator, or such other officer as the local Government shall appoint, as soon as presented, the information therein required. Procedure regarding arrivals and departures of vessels.

2. All vessels within the port of Kyouk Phyoo shall be bound to take up such berth as may be appointed for them by the Conservator of the port, or such other officer as the local Government shall appoint, and shall not change their berths or remove, except by or with permission of such authority. Berth of each vessel by whom appointed.

3. All vessels within the port of Kyouk Phyoo shall, on the requisition of the Conservator of the port, or such other officer as the local Government shall appoint, rig in their jib and driver-booms, and shall strike their yards and masts if required so to do by either of those officers. Requisitions of port Conservators to be invariably attended to.

4. Every ship or vessel within the port of Kyouk Phyoo shall remove any anchor or spar, or other substance projecting from her side, when required to do so by the Conservator of the port, or such other officer as the local Government shall appoint.

5. A free channel of 240 yards width is to be kept for ships moving up or down the river within the port, and also free passage to piers, jetties, landing-places, wharves, quays, docks, and moorings; and all vessels shall be bound to move when required to clear such channels or passages.

6. All vessels within the port of Kyouk Phyoo shall anchor, moor, and unmoor when and where required by the Conservator of the port, or such other officer as the local Government shall appoint.

7. All vessels within the port of Kyouk Phyoo shall be moved or warped from place to place, as required by the Conservator of the port or such other officer as the local Government shall appoint; and no vessel shall cast off a warp that has been made fast to her, to assist a vessel in moving, without being required so to do by the pilot or officer in charge of the vessels moving.

8. No vessel shall use any of the Government chain moorings, whether fixed or swinging, without permission of the Conservator of the port, or such other officer as the local Government shall appoint.

Rates for occupying Government moorings.

9. All vessels occupying Government moorings, fixed or swinging, shall be liable to pay for the same according to the following scale, and no more:—

For fixed moorings.	From 1st November to 1st May 6 months.	From 2nd May to the last day of October.
	per diem.	per diem.
All vessels up to 199 tons...	1 rupee.	3 rupees.
Do. from 200 ,, 299 ,, ...	2 rupees.	4 ,,
Do. ,, 300 ,, 399 ,, ...	3 ,,	5 ,,
Do. ,, 400 ,, 499 ,, ...	4 ,,	6 ,,
Do. ,, 500 ,, 599 ,, ...	5 ,,	7 ,,
Do. ,, 600 ,, and upwards...	6 ,,	8 ,,
Swinging moorings	3 ,,	4 ,,

10. All vessels within the limits of the port shall, when at anchor between sunset and sunrise, have a good light hoisted at the starboard fore-yard-arm; and all vessels under weigh at night shall show a good light at the fore-royal or upper fore-mast-head; and when under weigh in tow of a steamer shall in addition to the mast-head light, show a good light at each fore-yard-arm; the steamer showing the usual lights prescribed by the admiralty regulations.

Lights when and how to be shown.

The provisions of sections 28, 37, and 40 of the said Act XXII of 1855 are hereby specially extended to the port of Kyouk Phyoo.

BENGAL, No. 514, 23rd December 1857.

In accordance with the provisions of section 5 Act XXXV of 1857, the Lieutenant Governor is pleased to declare and publish for general information the following table of rates at which port dues shall be levied in the ports of * * * Akyab and Kyouk Phyoo, from and after the 1st of January 1858 :—

*Table of port dues leviable in the ports of * * * Akyab and Kyouk Phyoo, under Act XXXV of* 1857.

* * * * *

Akyab, sea-going vessels of 10 tons and upwards, ...	4 annas for every ton of burthen.
Kyouk Phyoo, do. do. do.	4 annas do. do.

No. 3, 20th June 1863.

With reference to port rule No. 11 of those for the port of Akyab, passed under the provisions of clause 11 of section 7 of Act XXII of 1855 (for the regulation of ports and port dues) by which rules are allowed to be made for regulating cargo and other boats plying for hire within port limits, it is hereby notified that section 23 of Act XLVIII of 1860, "amending section 78 of Act XIII of

Boat licenses how to be granted under port rule 11 (Akyab.)

1856 is by order of the Chief Commissioner of British Burma made applicable to the port of Akyab. This is quoted below together with sections 79 and 80 of Act XIII in continuation of the same.

The boat licenses however shall as directed in port rules be granted by the Conservator of the port and not by the Police Magistrate.

ACT XLVIII OF 1860.

Passenger boats to be registered.

Section 23.—No boat shall ply for passengers in the port of Akyab unless duly registered at the office of the Conservator of the port. The following particulars shall be entered in the register :—

First.—Number of the boat.

Second.—Name and residence of the owner and of the manjee.

Third.—Number of the crew.

Fourth.—Number of persons the boat is permitted to carry.

Registration.

The registration shall be in force for one year, and every change of the owner or manjee within that time shall be therein noted.

A fee of one rupee shall be paid on registration.

Name of owner or manjee, number, &c., to be painted.

The owner or manjee of every such registered boat shall cause to be painted on a conspicuous part of it, in the English and vernacular languages, the registered number thereof, the number of the crew and the number of passengers permitted to be carried.

Penalty.

The owner or manjee of a boat plying for passengers without being duly registered, or carrying more passengers, or with a less crew than is stated in the register, or not having the prescribed particulars painted on it, shall be liable to a fine not exceeding fifty rupees.

ACT XIII OF 1856.

Section 79.—The Conservator of the port may refuse to register any boat or may cancel the registration thereof whenever it may appear to him to be in an unsafe state.

The Conservator of the port may refuse to register unsafe boats or if registered may cancel the registry.

Section 80.—Whenever any accident shall occur to a registered boat, attended with loss of the life of any one of the crew or passengers, the manjee or, if the manjee be not forthcoming, the owner of the boat shall report the circumstances at the office of the Conservator of the port; and if the manjee or owner, as the case may be, without lawful excuse, neglect or delay to make such report, he shall be liable to a fine not exceeding fifty rupees.

Penalty for neglecting or delaying to report accident to a registered boat attended with loss of life.

No. 7, 13th July 1863.

According to the Akyab port rule 6 made under the provisions of section 7 of Act XXII of 1855, the Conservator of the port notifies, as directed by the Chief Commissioner of British Burma, that ships taking up a loading berth between the following limits shall moor with two anchors, viz: 30 fathoms on the ebb anchor, and 25 on the flood anchor.

Ships to moor with two anchors.

Southern limits of loading ground.

North of a line drawn east from the Government flag-staff.

Southern limits.

Northern limits of loading ground.

To south of a line drawn east from the north bank of the Monghyine. This applies to the Akyab side of the channel only.

Northern limits.

No. 2273.

FORT WILLIAM, HOME DEPARTMENT,

The 9th March 1866.

NOTIFICATION.

NOTICE TO MARINERS.

Doubts having been expressed as to the accuracy of longitudes assigned to the Andaman islands on the existing charts, notice is hereby given that the longitude of Chatham island, Port Blair has been recently determined to be 92° 43' east of Greenwich, whereas in the chart of the Andaman islands which is compiled from the surveys of Lieut. BLAIR and Captain MOORSON in 1789-90, revised by Lieutenant HEATHCOTE in 1853, it is assumed to be 92° 56'. The whole group of islands is probably 13 miles west of the position that has hitherto been accepted.

The recent determination of the position of Chatham island is deduced from 202 observations lunar zenith distance, and 29 culminations observed by Mr. NICOLSON, of the survey department, with an alt-azimuth instrument, having a vertical circle 36 inches in diameter. They were reduced in the office of the great trigonometrical survey of India.

SECTION II.—PILOTAGE.

RULES

FOR PILOTS AND PILOTAGE FOR THE PORT OF RANGOON.

Dated 20th April 1865.

1. Licenses will be granted by the Master Attendant, under the authority of the Commissioner of Pegu, to all competent persons who may apply for the same, authorizing them to follow the calling of a pilot for the port of Rangoon; and none but persons so licensed will be regarded as duly qualified. A vessel moving in pilot waters either without a pilot or with an unlicensed one on board, risks her insurance if the services of a licensed pilot are available.

Licenses how issued.

2. The qualifications for a license are, (besides a character for good conduct and sobriety) a knowledge of general seamanship, the capability of giving intelligible orders in the English language to work a ship, and a competent acquaintance with the Rangoon river and the channels leading thereto.

Qualifications for a license.

3. Candidates for the office of pilot will forward their applications to the Master Attendant who will submit the same to the Commissioner of Pegu.

Candidates how to apply.

4. The Master Attendant under the orders of the Commissioner will nominate a committee to examine the candidates, of which committee the Master Attendant shall sit as president. The members shall be two (or more if available) masters of vessels in the harbour, who may be willing to give their services for the purpose, and one of the full draft licensed pilots belonging to the port of Rangoon.

Committees how nominated.

Form of examination.

The candidates shall be questioned on the pilotage of the river and its approaches, and all questions and replies shall be reduced to writing by the president of the committee, who should take notice of any wrong or defective answer given by the candidate, and remark on the same in the form prescribed.

Certificate of qualification to be granted.

5. On a candidate being reported qualified by the committee, and on the proceedings being confirmed by the Commissioner, he will receive a license numbered under the signature of the Master Attendant, and the counter-signature of the Commissioner of Pegu, in the form prescribed; and his admission on the roll of licensed pilots shall be duly notified for public information in the *official gazette* of the province. He will then work under these rules.

Ships where to be boarded.

6. The ordinary place for a pilot to board or leave a ship outside will be on a line drawn east of the China Bukeer, and on bringing a ship and mooring her in such part of the port as the Master Attendant may direct, (or below the Hastings shoal, should the commander wish to remain there) he will have completed his duty.

Pilot bringing in a vessel entitled to outward pilotage if he is available.

7. Any licensed pilot that brings a vessel from sea to within the limits of the port is entitled to have the pilotage of such vessel outward, if he is available 24 hours previous to her departure. This privilege will not be accorded to any pilot who does not possess, or have a share in, or otherwise have at his disposal, a vessel of a burden not less than (45) forty-five tons, the said vessel to be ordinarily on the pilot station, and to be, in the opinion of the Master Attendant, seaworthy for the south-west monsoon.

Pilots to be licensed.

All pilot boats shall be licensed under certificates granted by the Master Attendant and coun-

tersigned by the Commissioner, according to the form prescribed; and no license shall be granted to any of less than 20 tons measurement. All such boats are to be surveyed by the Master Attendant and passed as seaworthy.

Pilots who do not own, or have a share in a vessel of the above tonnage, shall not be allowed to take vessels to sea where there may be other pilots available for the duty; but, except as provided in this rule, one licensed pilot shall not ordinarily supercede another licensed pilot, unless such pilot is unable to proceed with his charge from sickness or from having an under draft license for outward pilotage. Vessels will have pilots appointed in regular turn as they clear through the customs and Master Attendant's office, the first pilot that is available being appointed to the first ship that has cleared out, and so on.

Pilot to produce license when required.

8. Every pilot is required to produce his license to the master of any vessel requiring a pilot. He is, when seeking to be employed, to fly his pilot flag, which he is also to hoist in some conspicuous place while in charge of any vessel.

Pilot flag.

The pilot flag is to be four feet square, red and white, horizontal for European pilots and vertical for native pilots, and the number of the license is to be shown on the flag in blue, in figures of two feet in length.

Optional with commander to take a pilot.

9. It being optional with the commander of a vessel to take a pilot or not, no vessel at sea need be boarded unless the signal for a pilot be hoisted, in which case it is imperative for a pilot to proceed on board without delay.

In the event however of a pilot boarding a ship with the signal for pilot flying, the pilot if not

under draft shall be entitled to his full pilotage, although the captain may afterwards bring in his own ship, unless he can show sufficient cause for having dispensed with the pilot's services after having demanded them by signal. This applies to a vessel at sea only.

Pilot to attend to call of masters of ships.

10. A pilot is bound to attend to the call of the master of a ship, and any pilot who may refuse or neglect to do so, or who being unengaged passes an inward or outward bound vessel having a signal for a pilot flying without boarding such vessel, will be liable to such deprivation as is hereinafter provided in these rules.

But pilots on the outer station who may be disengaged will give preference to the following vessels.

1.—H. M. men-of-war.

2.—Troop ships.

3.—Mail steamers.

Penalty for demanding a higher rate than is sanctioned.

11. Any pilot who may demand or receive a higher rate of pilotage than he is entitled to under these rules, will be liable to such deprivation as may be considered proper in his case, and as is hereinafter provided.

Pilot leaving a ship before his duty is performed to forfeit pilotage.

12. Any pilot leaving a ship from any cause, (except a default on the part of the ship, or with the master's consent,) before she has been taken to sea or anchored in the river according to the rules of the port, will not be entitled to any portion of the pilotage, and any pilot leaving a ship under his pilot charge, unless under a medical certificate or with the permission of the Master Attendant, will be liable to be suspended, or to such other deprivation as may be considered proper in his case, and as is hereinafter provided in these rules.

13. No pilot is to take charge of a ship, or move her within the port of Rangoon after she has once been moored, without the order of the Master Attendant, which order is not transferable to any other pilot, without the sanction of the Master Attendant. Any detention which may occur in effecting this duty is to be reported to the Master Attendant. The completion of the duty should also be reported.

Pilot not to take charge of a ship without orders of the Master Attendant.

When a pilot is unable to take a vessel to which he may be appointed across the Hastings shoal, for want of water or a fair wind, and the commander refuses to take steam, the pilot will report the case to the Master Attendant in writing, stating in how many days he considers the vessel can be safely taken over without steam aid.

The Master Attendant will then, if he considers it necessary, remove the pilot and appoint him to other work, and the vessel thus detained will have to wait until another pilot is available.

14. Pilots in bringing ships into port are to pay the strictest attention to the directions of the Master Attendant, as to the places where they are to move; and pilots shall report their arrival on all occasions at the office of the Master Attendant in person, within 12 hours after their arrival.

Pilot bringing ship into port to pay strictest attention to directions from Master Attendant.

But when they may have to attend immediately to any other vessel, they are allowed instead to sign their names in the port book as having brought the vessel in. Pilots shall also report their departure to proceed to the outer station, where they are to report themselves to the officer in charge of the Light vessel either by signal or in person.

15. Pilots will proceed to the outer pilot station when ordered by the Master Attendant, and any pilot becoming sick or unfit for duty is im-

Pilots to proceed to outer station when ordered.

mediately to forward a medical certificate to the Master Attendant.

Rate of pilotage.

16. The rate of pilotage for vessels entering is as follows, modified according to the situation where the vessel is boarded, and by her being aided by steam, as herein set forth.

Vessels being towed by steamers will pay three-fourths of the rate of pilotage.

Steamers drawing under 19 feet will pay half the rates. Those over that draft, three-fourths.

IRRAWADDY PILOTAGE CHARGEABLE ON VESSELS.

DRAFT OF WATER.	FULL PILOTAGE.		REMARKS.
	Inwards.	Outwards.	
	RS.	RS.	
Below and up to 9 feet,	30	30	The pilotage is divided into fourths for the convenience of charging intermediate or broken pilotage, viz:—from sea, to places short of Rangoon, and from and to intermediate places, and also for the proportionate deduction being made when vessels are tugged by steam any portion of the distance. A table of rates calculated on the foregoing is supplied in the schedule (D).
Above 9 feet ,, 10 ,,	36	36	
,, 10 ,, ,, 11 ,,	43	43	
,, 11 ,, ,, 12 ,,	51	51	
,, 12 ,, ,, 13 ,,	60	60	
,, 13 ,, ,, 14 ,,	75	75	
,, 14 ,, ,, 15 ,,	90	90	
,, 15 ,, ,, 16 ,,	105	105	
,, 16 ,, ,, 17 ,,	120	120	
,, 17 ,, ,, 18 ,,	140	175	
,, 18 ,, ,, 19 ,,	160	200	
,, 19 ,, ,, 20 ,,	180	225	
,, 20 ,, ,, 21 ,,	205	256/4	
,, 21 ,, ,, 22 ,,	230	287/8	
,, 22 ,, ,, 23 ,,	260	325	
,, 23 ,, ,, 24 ,,	300	375	
,, 24 ,, ,, 25 ,,	375	475	
,, 25 ,, ,, 26 ,,	550	600	

The following shew the number of fourths chargeable between the several stations:—

INWARD PILOTAGE.

Inward pilotage.

From sea southward of the Light vessel to a line east of the Elephant point, ... One quarter.

Do. to Bassein creek, ... One half.

Do. to Choky point,... ... ... Three quarters.

Do. to Rangoon, ... Full pilotage.

OUTWARD PILOTAGE.

Outward pilotage.

From Rangoon	to Choky point,	...	...One quarter.
Do.	to Bassein creek,	...	...One half.
Do.	to Elephant point,	...	...Three quarters.
Do.	to South of the Light ship,		...Full pilotage.

Pilots to report alteration of sands, channels, &c.

17. Any pilot holding a license who observes any alteration in the position of the sands, or channels, or if any buoys or beacons are driven out of their position or injured, shall, as soon as practicable, report the same in writing to the Master Attendant.

Pilot to report on grounding a vessel.

18. Pilots who may ground vessels are to report the occurrence to the Master Attendant in writing, with as little delay as possible, specifying the place and time, state of the weather, direction and force of the wind, time of tide, period on shore, extent of damage, and every particular. This report is to be certified by the master of the vessel.

Pilot to report when anchors or cables are lost.

19. When anchors or cables are lost, the pilot in charge will report the occurrence in writing, specifying time and place, particulars of size, and quantity of chain, size of anchor, if buoyed, and nearest bearings.

Penalty for disobedience of orders.

20. The pilots are to pay the strictest attention to the orders of the Master Attendant; and for grounding a vessel or any other proved misconduct on board a vessel whilst in pilotage charge, or for any other neglect of any rule or regulation of the port, or any instructions issued with reference thereto by the Conservator of the port, or any infringement of, or disobedience of these pilotage rules, a pilot may be temporarily suspended by the Master Attendant, the circumstances of the case being fully reported to the

Commissioner within 24 hours of such suspension, and he may subsequently be deprived of his license under the orders of the Commissioner.

Proviso.

Provided that in all cases where the pilot may claim to put himself on his defence, the Master Attendant, as above noted, shall set forth the same, and a pilot's court of inquiry will be directed by the Commissioner of Pegu to assemble, whereof an European officer of the Commission, or an Honorary Magistrate, under appointment of the Commissioner, shall be *ex-officio* the president, and two or more, if available, masters of vessels in the harbour, and one or more licensed pilots shall be the members—and the Master Attendant shall conduct the prosecution, but shall not take any part in voting nor record his opinion at the close of the investigation. The Court thus constituted shall simply examine (without oath) any person who may be in attendance for that purpose, recording their statements and the explanation or defence of the pilot, and also the statements of such persons as he may produce to clear himself, and shall, on the conclusion of the inquiry, submit its proceedings, with the opinion of the members, to the Commissioner of Pegu. It will also, in recording its opinion, note (where the pilot may be in fault,) what deprivation it considers the said pilot should be subjected to, and this shall be either confirmed or modified by the Commissioner according to the circumstances of the case. Provided that in the case of diversity of opinion the Commissioner may exercise his own judgment in the matter as to the pilot being in fault or not, and order in his case as he thinks fit.

Procedure on suspension.

21. In cases when pilots are suspended from duty their licenses are to be delivered up to the Master Attendant for the period of their suspension.

22. Licensed pilots shall for any proved misconduct, disobedience, neglect or unskilfulness resulting in injury, in matters connected with their professional work, be subject to the following deprivations by the order of the Commissioner, either on the report of the Master Attendant, or, in cases where the pilot claims to have his conduct inquired into, on the proceedings of the pilot's court of inquiry—that is to say, to

Penalties for proved misconduct; disobediencies, &c., in matters connected with professional work.

1.—Deprivation of license.

2.—Reduction to $\frac{3}{4}$,—$\frac{1}{2}$,—or $\frac{1}{4}$ pilotage fees for a specified time, the remainder of the fees being placed in a fund to be called the Rangoon pilots' fund, regarding disbursements from which a separate set of rules will be prepared.

3.—Reduction from full draft to limited draft for a period of not less than one month and not exceeding one year.

4.—Suspension of license for similar period.

In all cases where a pilot may be sentenced to reduction to limited draft, or to suspension for more than 6 months, he shall be required to appear before an examination committee before his license is restored to him. And in all cases where the same is specially provided in these rules, or where any damage has resulted to a vessel while in a pilot's charge, it shall also be competent for the Commissioner at the recommendation of the pilots' court of inquiry, or of the Master Attendant, in passing an order of deprivation as before noted, to direct that the pilot shall have no claim against the said vessel in respect of any fees that would otherwise have been claimable, and in the latter case any deposit in the Master Attendant's office of pilotage fees made on account of the said vessel shall be returned to the party depositing the same.

Table of pilots to be kept.

23. A table showing the names of the licensed pilots in the harbour, with their respective drafts and numbers, is to be exhibited in the office of the Master Attendant for the information of the public, according to the prescribed form.

A copy will also be posted in the office of the Collector of customs, and any change amongst the pilots, either by the admission of a new pilot or by casualty, as also the final orders in the case of any inquiry made into the conduct of any licensed pilot as herein before provided, shall be duly notified in the provincial *official gazette*.

PILOTS' DEMURRAGE RULES.

Two days' notice to be given.

24. Commanders of vessels requiring a pilot are to give written notice at the Master Attendant's office, specifying the day and date on which he will be required, two days previous to clearing out.

Rate of demurrage.

25. If after a pilot has been appointed, the vessel shall not move on the day and date specified, the pilot having been in attendance, he shall be entitled to sixteen (16) rupees as if the duty had been performed, provided the detention shall not have arisen from desertion of seamen, wind and weather, or tide, or any other cause which could not have been foreseen.

Master to give written statement of reason.

26. On any case of detention occurring within the limits of the port, the commander will make a written statement of the reason and deliver it to the Master Attendant, stating whether he requires the pilot's attendance the following day or not.

Detention of pilot beyond limits of port.

27. Any pilot being detained on board a vessel out of the limits of the port by the desertion or misconduct of the seamen, or from any unforeseen casualty over which the commander could

have no control, the pilot shall be bound to remain with the vessel without any extra remuneration for the space of 24 hours, after which, should the detention continue, the commander of the vessel will pay sixteen (16) rupees for every day of his detention, failing which the pilot may leave after 24 hours have expired, provided the detention has not been caused by the prevailing winds, weather or tides—for delays, owing to which, no claim shall be admitted.

Detention of pilot within limits of port.

28. The Commander of a vessel on arrival within the limits of the port, may detain the pilot for 24 hours while waiting for orders, &c., but he must pay the said pilot rupees sixteen (16) for the detention, in addition to the pilotage.

IRRAWADDY PILOTAGE CHARGEABLE ON VESSELS.

SCHEDULE D.

INWARD PILOTAGE.

DRAUGHT OF WATER.	Full pilotage.	¼			½			¾		
	RS.	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
Below and up to 9 feet,	30	7	8	0	15	0	0	22	8	0
9 feet ,, 10 ,,	36	9	0	0	18	0	0	27	0	0
10 ,, ,, 11 ,,	43	10	12	0	21	8	0	32	4	0
11 ,, ,, 12 ,,	51	12	12	0	25	8	0	38	4	0
12 ,, ,, 13 ,,	60	15	0	0	30	0	0	45	0	0
13 ,, ,, 14 ,,	75	18	12	0	37	8	0	56	4	0
14 ,, ,, 15 ,,	90	22	8	0	45	0	0	67	8	0
15 ,, ,, 16 ,,	105	26	4	0	52	8	0	78	12	0
16 ,, ,, 17 ,,	120	30	0	0	60	0	0	90	0	0
17 ,, ,, 18 ,,	140	35	0	0	70	0	0	105	0	0
18 ,, ,, 19 ,,	160	40	0	0	80	0	0	120	0	0
19 ,, ,, 20 ,,	180	45	0	0	90	0	0	135	0	0
20 ,, ,, 21 ,,	205	51	4	0	102	8	0	153	12	0
21 ,, ,, 22 ,,	230	57	8	0	115	0	0	172	0	0
22 ,, ,, 23 ,,	260	65	0	0	130	0	0	195	0	0
23 ,, ,, 24 ,,	300	75	0	0	150	0	0	225	0	0
24 ,, ,, 25 ,,	375	93	12	0	187	8	0	280	4	0
25 ,, ,, 26 ,,	550	132	8	0	275	0	0	407	8	0

OUTWARD PILOTAGE.

Draught of water.	Full pilotage.	¼			½			¾		
	RS.	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
Below and up to 9 feet,	30	7	8	0	15	0	0	22	8	0
9 feet ,, 10 ,,	36	9	0	0	18	0	0	27	0	0
10 ,, ,, 11 ,,	43	10	12	0	21	8	0	32	4	0
11 ,, ,, 12 ,,	51	12	12	0	25	8	0	38	4	0
12 ,, ,, 13 ,,	60	15	0	0	30	0	0	45	0	0
13 ,, ,, 14 ,,	75	18	12	0	37	8	0	56	4	0
14 ,, ,, 15 ,,	90	22	8	0	45	0	0	67	8	0
15 ,, ,, 16 ,,	105	26	4	0	52	8	0	78	12	0
16 ,, ,, 17 ,,	120	30	0	0	60	0	0	90	0	0
17 ,, ,, 18 ,,	175	43	12	0	87	8	0	131	4	0
18 ,, ,, 19 ,,	200	50	0	0	100	0	0	150	0	0
19 ,, ,, 20 ,,	225	56	4	0	112	8	0	168	12	0
20 ,, ,, 21 ,,	256/4	64	1	0	128	2	0	192	3	0
21 ,, ,, 22 ,,	287/8	71	14	0	143	12	0	215	10	0
22 ,, ,, 23 ,,	325	81	4	0	162	8	0	243	12	0
23 ,, ,, 24 ,,	375	93	12	0	187	8	0	281	4	0
24 ,, ,, 25 ,,	475	118	12	0	237	8	0	356	4	0
25 ,, ,, 26 ,,	600	150	0	0	300	0	0	450	0	0

HARBOUR PILOTAGE.

To mooring and unmooring within the limits of the port, ...Rs. 16
To placing on or taking off the hard, ... „ 16
To mooring and unmooring under fores, ... „ 32
To pilotage into and out of the Puzoondoung creek, including mooring and unmooring,... „ 32

RULES

RELATIVE TO THE ACCOMMODATION OF PILOTS ON BOARD THE LIGHT VESSEL AT THE MOUTH OF THE RANGOON RIVER.

Licensed pilots allowed accommodation in Light vessel.

1st.—Every licensed pilot for the Port of Rangoon is allowed to have accommodation on board the Light vessel on payment of the sum of rupees 7-8 each time he takes a vessel in or out of the river; in order to have a claim to accommodation, this sum must be paid by a pilot each time he takes a vessel in or out, whether he actually goes on board the Light vessel or not.

2nd.—The payment of the above amount will entitle a pilot to a residence on board the Light vessel while *boná-fide* engaged in seeking for pilotage. He will also be entitled to the use of the vessel's boats and to a supply of wood and water while on board. To what pilots are entitled by payment of fee.

3rd.—Pilots while on board the Light ship will make their own arrangements for messing. Messing.

4th.—Pilots who do not signify their intention to accept the conditions of these rules will not be allowed to use the Light vessel for the purpose of accommodation. To give notice of accepting accommodation.

5th.—Any pilot desiring to avail himself of the use of the Light vessel, should procure a written order from the Master Attendant, and should also give 14 days' written notice when longer wishing to avail himself of such accommodation. Written order required.

PORT OF BASSEIN.

RULES

FOR THE APPOINTMENT, DUTIES AND REMUNERATION OF PILOTS.

1. Licenses will be issued by the Master Attendant under the authority of the Commissioner to such applicants as may be deemed qualified for pilots on the Bassein river, by a committee convened by the Master Attendant under the direction of the Deputy Commissioner. Licenses.

2. The committee shall be composed of the Master Attendant as president, and three members, two of whom shall be commanders of vessels, and the third the Government pilot or licensed pilot, as available. Committee.

3. The qualifications of pilots shall be a knowledge of general seamanship, the capability of Qualification of pilots.

giving orders in the English and native languages, a competent acquaintance with the Bassein river and channels leading thereto, and the productions of certificates of previous good conduct and sobriety.

Form of license.

4. On a candidate being reported qualified by the committee he will receive a license under the signature of the Master Attendant in the form prescribed. No pilot will be permitted to resume his duties after 6 months absence until he has been re-examined.

Place for boarding ships.

5. The ordinary place for a pilot to board or leave a ship outside will be half a mile to the eastward of the fair-way buoy.

To produce licenses when required.

6. Every pilot is required to produce his license to the master of any vessel requiring a pilot, and is to hoist his pilot flag at some conspicuous place while he is in charge. Europeans will hoist a flag 4 feet square, red and white, horizontal; and natives higher rate red and white, vertical, which flags are to be provided by themselves.

Pilot not to demand more than fixed rates.

7. If a pilot who is unengaged passes an inward or outward bound vessel having a signal for a pilot flying, without boarding such vessel, or any pilot who may demand or receive a higher rate of pilotage than he is entitled to under these rules, will be liable to be suspended.

Rates of pilotage.

8. The rate of pilotage outward will be the same as inward for all vessels up to 17 feet, above 17 feet one quarter more. This rule is applicable to the rates of pilotage from Diamond island to Dalhousie only. The rate of pilotage is as follows—modified according to the situation where the vessel is boarded, and by her being aided by steamers as herein set forth. Vessels being towed by steamers will pay three fourths of the rate of pilotage; steamers will pay one half the rate.

BASSEIN PILOTAGE CHARGEABLE ON VESSELS.

INTERMEDIATE OR BROKEN PILOTAGE.

DRAFT OF WATER.	Full pilotage.	¼	½	¾
Below & up to 10 feet at 5 Rs. ₱ foot	50	12 8 0	25 0 0	37 0 0
From 10 ft. to 14 ft. „ 7 „ „	98	24 8 0	49 0 0	73 8 0
„ 14 „ „ 18 „ „ 9 „ „	162	40 8 0	81 0 0	121 8 0
„ 18 „ „ 20 „ „ 11 „ „	220	55 0 0	110 0 0	165 0 0
„ 20 and upwards, 12 „ „	240	60 0 0	120 0 0	185 0 0

TO DALHOUSIE FROM SEA.

Below and up to 18 feet draft,			Rs.	3 8
From	10 to 14	„ „ „		4 0
„	14 to 18	„ „ „		4 8
„	18 to 20	„ „ „		5 0
„	20 and upwards,		„	8 0

SCALE FOR HARBOUR PILOTAGE.

To mooring and unmooring within the limits of the port rupees 16.

Pilots to obey orders of Master Attendant.

9. Pilots in bringing ships into port are to pay the strictest attention to the directions of the Master Attendant as to places where they are to moor, and all pilots shall report their arrival on all occasions at the office of the Master Attendant, within 12 hours after their arrival, and shall also report their departure to proceed to the outer station.

10. A pilot leaving a ship from any cause except a default on the part of the ship, before she has been taken to sea or anchored in the river, according to the wish of the commander, will not be entitled to any portion of the pilotage.

Not to move ships without orders of Master Attendant.

11. No pilot is to take charge of a ship or move her within the port of Bassein after she has been once moored, without the order of the Master Attendant, which order is not transferable to another pilot without the sanction of the Master Attendant; any detention which may occur in ef-

fecting the duty, is to be reported to the Master Attendant, and also on completion of the duty, if the vessel is moored within the limits of the port.

Not to leave ships without due cause.

12. Any pilot leaving a ship under his pilotage, or the outer station without due cause, unless under a medical certificate, or with the permission of the Master Attendant, will be liable to be suspended.

To report when sick.

13. Pilots will proceed to the outer station when ordered by the Master Attendant, and any pilot becoming sick or unfit for duty, is to immediately forward a medical certificate to the Master Attendant.

When suspended to give up licenses.

14. In cases when pilots are suspended from duty, their licenses are to be delivered up to the Master Attendant for the term of their suspension.

15. It being optional with a commander of a vessel to take a pilot or not, no vessel need be boarded unless the signal for a pilot be hoisted. This applies to a vessel at sea only.

Grounding of vessels to be reported.

16. Pilots who may ground vessels are to report the occurrence to the Master Attendant, in writing, with as little delay as possible, specifying the place and time, state of the weather, directions and force of the wind, time of tide, period on shore, extent of damage, and every particular. This report is to be certified by the master of the vessel.

Loss of anchors to be reported.

17. When anchors or cables are lost, the pilot in charge will report the occurrence in writing, specifying the time and place, and particulars of size and quantity of chain, and size of anchor, if buoyed, and nearest bearings.

Alterations in sands, &c., to be reported.

18. Any pilot holding a license who observes any alteration in the position of the sands or channels, or if any buoys or beacons are driven out of position or injured, shall, as soon as practicable,

report the same in writing to the Master Attendant.

19. The pilots are to pay the strictest attention to the orders of the Master Attendant, and for any proved misconduct on board of a vessel while under pilotage charge, or for any infringement of or disobedience to the foregoing rules, a pilot may be deprived of his license under the order of the Commissioner. Pilots to obey Master Attendant.

20. The pilotage is divided into fourths, for the convenience of charging intermediate or broken pilotage, viz; from sea to places short of Bassein and from and to intermediate places, and also for the purpose of the proportionate deduction being made when vessels are tugged by steam any portion of the distance. Pilotage how divided.

The following shew the number of fourths chargeable between the several stations :—

From Dalhousie flag-staff.	to white or ridge buoy,	...One-fourth.
	to a line drawn east and west through Pariah rock,	...One-half.
	to junction, ...	...Three-quarters.
	Bassein, ...	...Full pilotage.

OUTWARD.

BASSEIN TO DALHOUSIE.

To junction, ...	...One-fourth.
„ Pamawaddie, ...	...One-half.
„ black buoy or ridge, ...	...Three-quarters.
South of flag-staff at Dalhousie,...	...Full pilotage.

21. A table shewing the names of licensed pilots in the Bassein river, with their respective drafts and numbers, is to be exhibited in the office of the Master Attendant for the information of the public. List of pilots.

PILOTS' DEMURRAGE RULES.

Written notice.

1. Commanders of vessels requiring a pilot are to give written notice at the Master Attendant's office, specifying the day and date on which he will be required, two days previous to clearing out.

Rate of demurrage in port.

2. If after a pilot has been appointed, the vessel shall not move on the day and date specified, the pilot having been in attendance, he shall be entitled to (16) sixteen rupees, as if the duty had been performed, provided the detention shall not have arisen from desertion of seamen, wind and weather, or tide, which could not have been foreseen.

Cause of detention to be reported.

3. On any case of detention occurring within the limits of the port, the commander will make a written statement of the reason and deliver it to the pilot for transmission to the Master Attendant, stating whether he requires the pilot's attendance the following day or not.

Rate of demurrage out of port.

4. Any pilot being detained on board a vessel out of the limits of the port by the desertion or misconduct of the seamen, or from any unforeseen casualty over which the commander could have no control, shall be bound to remain with the vessel without any extra remuneration for the space of 24 hours, after which, should the detention continue, the commander of the vessel will pay (16) sixteen rupees for every day of his detention, failing which the pilot may leave after the 24 hours have expired, provided the detention has not been caused by the prevailing winds, weather, or tides, for delay owing to which no claim shall be admitted.

Pilot may be detained on arrival.

5. The commander of any vessel, on arrival within the limits of the port, may detain the pilot for 24 hours while waiting for orders, &c., but he must pay the said pilot rupees sixteen (16) for the detention, in addition to the pilotage.

RULES

FOR PILOTS AND PILOTAGE FOR THE PORT OF MAULMAIN.

Issue of license to pilots.

1. Licenses will be issued by the Master Attendant, under the authority of the Commissioner, Tenasserim division, to such applicants as may be deemed qualified for pilots on the Maulmain river by a committee convened by the Master Attendant, under the direction of the Deputy Commissioner.

Committee to qualify pilots.

2. The committee shall be composed of the Master Attendant as president and three members, two of whom shall be commanders of vessels, and the third the Government pilot, or a licensed pilot, as available.

Qualifications of pilots.

3. The qualifications of pilots shall be a knowledge of general seamanship, the capability of giving orders in the English and native languages, a competent acquaintance with the Maulmain river and the channels leading thereto, and the production of certificates of previous good conduct and sobriety.

Form and condition of license.

4. On a candidate being reported qualified by the committee, he will receive a license in the form prescribed, under the signature of the Master Attendant, and will then act under these rules.

Stations for pilots outside.

5. The ordinary place for a pilot to board or leave a ship outside, will be half a mile to the southward or the westward of the patch or outward buoy.

Production of license.

6. Every pilot is required to produce his license (and engagement if any) to the master of any vessel requiring a pilot, and is to hoist his pilot flag at some conspicuous place while he is in charge.

Pilots' flags.

The pilot flag to be four feet square, red and white, horizontal for European pilots, and vertical for native pilots. The number of the pilot's license to be on the flag in distinct figures of two feet in length.

7. If a pilot who is unengaged passes an inward or outward bound vessel, having a signal for a pilot flying, without boarding such vessel, or who may demand or receive a higher or lower rate of pilotage than he is entitled to under these rules, will be liable to have his draft reduced, or license revoked.

Pilot how to leave charge.

8. A pilot leaving a vessel without the consent of the master, is liable to have his draught reduced or his license revoked.

Modifications of pilotage charges.

9. The pilotage charge of the whole distance is as follows, subject to certain modifications, viz.—

Boarding or leaving to the westward of the Patch or outer buoy,	Full pilotage.
Boarding or leaving between the Patch and Reef buoy,	...3-4ths
Boarding or leaving to the eastward of the Reef buoy,	...2-3rds

Scale of full pilotage.

10. Scale of full pilotage for Maulmain river, distance from town to patch buoy 30 miles.

Draft under	8	feet	25	rupees.
„	9	„	35	„
„	10	„	45	„
„	11	„	55	„
„	12	„	65	„
„	13	„	85	„
„	14	„	105	„
„	15	„	125	„
„	16	„	145	„
„	17	„	165	„
„	18	„	200	„
„	19	„	240	„
„	20	„	300	„
„	21	„	360	„

Every additional foot to be increased by 60 rupees.

11. The rate for intermediate portions of a foot is to be regulated as follows, viz., 3 inches and under, no addition; between 3 inches and 9 inches, the medium between the two rates, above 9 inches the draft of the next foot to be taken. Pilotage for intervals of a foot.

12. Vessels taking steam aid to be charged two-thirds of the rate for sailing vessels. Steam aid to ships.

13. Steamers under 15 feet one half the rate of sailing vessels, above 15 feet, three-fifths of such rate. Steamers.

14. Vessels not taking licensed pilots and above 100 tons will be charged by Government at the rate of one anna per registered ton. Pilotage when compulsory.

15. The charge for shifting of a berth in the port, or for removing a vessel shall be twenty-five rupees. Shifting of berths, &c.

16. Vessels that call for orders, or put into Amherst in distress, and proceed in and out without a pilot shall be exempt from rule 14. Arrivals in distress, or to order.

17. A pilot may be detained 24 hours after arrival off town, without demurrage. Detention to pilot when allowed.

18. The pilotage distance is divided into fifths for charging broken or intermediate pilotage, but the least sum payable to a pilot for taking a vessel in or out of Amherst will be 25 rupees. Division of distance for regulating broken pilotage.

From outside Patch buoy to Amherst inner roads,	...1-5th
From Amherst inner roads to Fishing village,	...1-5th
From fishing village to Half Way creek,	...1-5th
From Half Way creek anchorage to Natmoo anchorage,	...1-5th
From Natmoo anchorage to off Maulmain,	...1-5th

19. Every licensed pilot that brings a vessel from sea to town is entitled to have the pilotage charge of such vessel outward, if he is available (12) twelve hours previous to her intended date of departure. Inward pilot when a right to be outward pilot of the same ship.

Pilots when to supercede one another.

20. One licensed pilot cannot supercede another licensed pilot, unless such pilot is unable to proceed with his charge from sickness, or from having an under draft license.

Pilots' arrival and stay in town.

21. Every licensed pilot shall report his arrival in town to the Master Attendant, and deposit his certificates in the office, and every licensed pilot shall report himself daily at the Master Attendant's office while such pilot is in town.

Berthing of ships.

22. Pilots are to moor all vessels in such berths as the Master Attendant shall appoint, with not less than 30 fathoms of cable each way before discharge.

Reports of pilots of grounding vessels.

23. Pilots who may ground vessels are, as early as possible, to report the occurrence to the Master Attendant in writing, specifying the place and time, state of the weather, direction and force of the winds, time of tide when out of danger, extent of damage, and every other particular as may be deemed useful. This report to be certified by the master.

Pilot to report loss of anchors or cables.

24. When anchors or cables are lost, the pilot in charge will report the occurrence in writing, specifying the time and place, time of tide, size of anchor and chain, quantity of cable, buoyed or not, and the bearings of the nearest well known objects ashore.

Pilots to report changes in channels.

25. Every pilot holding a license, who observes any alteration in any of the sands or channels, or that any buoy or beacons are driven away or injured, shall, as soon as possible, report such in writing to the Master Attendant.

Infringement of port rules to be reported by pilots.

26. Pilots noticing any infringement of the port rules, or any of the provisions of the Act XXII of 1855, are to report the same at once to the Master Attendant, with particulars in full.

27. The pilots are to pay the strictest attention to the orders of the Master Attendant.

Pilots to attend to orders of Master Attendant.

28. For any proved incompetency or misconduct of a pilot in connection with his duties, he shall be liable to have his draught reduced or license revoked.

Misconduct of pilots.

29. A table shewing the names of pilots licensed on the Maulmain river, with their respective draughts, is to be exhibited in the Master Attendant's office for the information of the public.

PILOTS' DEMURRAGE RULES.

1. Commanders of vessels requiring a pilot, are to give notice by signal 48 hours previous to their clearing out.

2. If having obtained a pilot, a vessel be not prepared to leave, and do not move from her moorings on the date notified by the commander to the Master Attendant, and should the services of the pilot then in consequence be dispensed with, the commander of the vessel shall pay to such pilot, if he be a pilot licensed to convey vessels of full draft to sea, the sum of rupees (15) fifteen, if he be a pilot licensed to the conduct of vessels of lesser draft, the sum of rupees (10) ten.

3. If, after having obtained a pilot, a vessel be not prepared to leave, and should she not quit her moorings, and the pilot be detained on board, the commander of the vessel shall pay to such pilot, should he be a pilot licensed to convey vessels of full draft to sea, the sum of rupees (15) fifteen for every day of his detention, and if a pilot licensed to the conduct of vessels of lesser draft, the sum of rupees (10) ten for every day of his detention.

4. Always, be it understood, that the detention adverted to in the foregoing paragraphs, has not arisen in consequence of the desertion of the seamen, or from wind, tide, or weather, which could not be foreseen, or over which the commander had no control.

10. In detention in port from desertion of seamen, the pilot cannot be detained more than 24 hours without the usual demurrage.

11. If a pilot be detained on board a vessel out of the limits of the port of Maulmain by the desertion or misconduct of its seamen, or any unforeseen casualty, over which the commander could have had no control, the pilot shall be bound to remain with the vessel without receiving any extra remuneration for the space of 48 hours, after which time, should his further detention continue, occasioned by any other cause whatsoever than that of the prevailing wind, tides and weather, for delay owing to which no claim shall hold good, the commander of the vessel will pay such pilot, if he be a pilot licensed to convey vessels of full draft to sea the sum of rupees (15) fifteen for every day of his detention, and if he be a pilot licensed to the conduct of vessels of lesser draft the sum of rupees (10) ten for every day of his detention.

PILOT RULES

FOR THE PORT OF AKYAB,

2nd September 1863.

Licenses.

1. Licenses will be granted under the authority of the Commissioner of Arakan to all competent persons applying, authorising them to follow the calling of a pilot for the port of Akyab, and no one but persons so licensed will be regarded as duly qualified. A vessel moving in pilot waters either without a pilot, or with an unlicensed one

on board, risks her insurance if the services of a licensed pilot are available.

Qualifications for a license.

2. The qualifications for a license are a knowledge of general seamanship, the capability of giving intelligible orders in the English language to work a ship, and a competent knowledge of the port of Akyab and the channels leading thereto.

Candidates how to apply.

3. Candidates for the office of pilot will forward applications to the Master Attendant, who will submit the same to the Commissioner.

Examination committee how formed.

4. The Master Attendant, under the orders of the Commissioner, will nominate a committee to examine candidates, of which committee the Master Attendant shall be president. The members to be three or more (if available) masters of vessels in the harbour, who may be willing to give their services for the purpose—one of the licensed pilots (full draft) will in regular rotation be desired to attend and examine the candidate, and it is open to any licensed pilot, who wishes, to come forward and put such questions to the candidate on the pilotage of the harbour and its approaches as he chooses: all of which shall be duly reduced to writing by the president of the committee, which is bound to take notice of any wrong or defective answer given by the candidate, and remark on the same.

A licensed pilot to examine the candidate.

Proceedings to be recorded.

License when granted to be notified in the *official gazette.*

5. On a candidate being reported qualified by a committee, and on the proceedings being confirmed by the Commissioner, the candidate will be eligible for employment, and will receive a license, numbered, under the signature of the Master Attendant of the port, and the countersignature of the Commissioner of Arakan, in the form prescribed, and which shall be duly notified in the *official gazette* of Akyab—this license he is required to produce to the master of any vessel requiring a pilot. No pilot will be permitted to

Pilot to produce license when required,

Pilot after 6 months absence to be re-examined.

Penalty for pilot absent without leave or neglecting duty in S. W. monsoon.

resume his duties after six months continued absence until he has been re-examined. Any pilot absenting himself without permission for more than one month, or neglecting to follow his avocation in the south-west monsoon, will be liable to have his license cancelled or to such other deprivation as may be considered proper in his case, and as hereinafter provided in these rules.

Ships where to be boarded.

6. The ordinary place for a pilot to board or leave a ship outside the bar, will be the table land of the western Bolongo bearing east in 6 to 7 fathoms of water; and on bringing in a ship and anchoring in such part of the port as may be directed by the Conservator, he will have completed his duty.

Pilot bringing in a vessel entitled to outward pilotage if available, and qualified as to draft.

Under what condition.

7. Any licensed pilot that brings in a vessel from sea to within the limits of the port is *entitled* to have the pilotage of such vessel outward if he is available 24 hours previous to her departure, provided the vessel is not above the draft of water assigned him as a pilot—this privilege will not be accorded to any pilot who does not possess or have a share in, or otherwise have at his disposal, a vessel of a burden of not less than 30 tons, the said vessel to be ordinarily at *her pilot station*, and to be in the opinion of the Master Attendant seaworthy for the south-west monsoon.

All pilot boats to be registered.

All pilot boats shall be licensed under certificates granted by the Master Attendant, and countersigned by the Commissioner of Arakan, according to the form prescribed, and no license shall be granted to any of less than 10 tons measurement.

All such boats are to be surveyed by the Master Attendant, and passed as seaworthy.

Outward pilotage dependent on what condition.

Pilots who do not own or have a share in a vessel of 20 tons measurement shall not be allowed to take vessels to sea.

Pilots who have not at their disposal a boat of 10 tons or upward shall draw only half the rates they would be otherwise entitled to.

Forfeiture for having no pilot boat.

8. Every pilot when seeking to be employed, shall fly a pilot flag, 4 feet square, red and white horizontal, the number of the license to be shown in the flag in figures of blue of 2 feet in length, and he is to hoist his flag in some conspicuous place while in charge of any vessel.

Pilot flag.

It shall also be the duty of any pilot on boarding a vessel outside, to see that her national flag and number be hoisted if within signal distance of the Akyab point flag-staff.

Pilot to cause a vessel's national flag and number to be shown.

9. The rates of pilotage for vessels entering the port are as follows, modified according to the situation where the vessel is boarded. Vessels towed by steamers will pay three-fourths of the rate of pilotage, and steamers one half the rates.

Rate of pilotage.

AKYAB PILOTAGE CHARGEABLE ON VESSELS.

In N. E. monsoon.	In S. W. monsoon.	Remarks.
14 feet and under, Rs. 32 Above 14 to 16 feet, per foot, ...Rs. 3 Above 16 to 18 feet, per foot, ...Rs. 4 Above 18 to 19 feet, per foot, ...Rs. 5 Above 19 to 20 feet, per foot, ...Rs. 6 For every additional foot over 20 feet, Rs. 116.	*Outward.* Three-fourths more. *Inward.* Double. From 1st to 15th May, and from the 16th to 31st October, only three quarters of the S. W. monsoon rates to be charged.	The pilotage is divided into fourths for the convenience of charging intermediate rates on broken pilotage, and also for the proportionate deduction being made when vessels are tugged by steamers any portion of the distance, and a table of rates calculated on the foregoing is supplied in the schedule D.

The south-west monsoon shall be held to extend from the 1st of May to the 31st of October, both days inclusive.

Period of S. W. monsoon.

INWARD PILOTAGE.

Intermediate pilotage.

A vessel boarded within the bar and outside the Savage will pay half rates.

A vessel boarded after rounding the Passage rock and to the southward of the Fakeer buoy will pay ¼ rates. Provided that the ¼ pilotage thus chargeable shall not exceed the rate of a harbour movement.

OUTWARD PILOTAGE.

The outward pilotage will be considered from any part of the port of Akyab to sea with the table land bearing east.

Dropping down a ship.

The dropping a ship from a loading berth to the ballast ground will not form an extra charge, unless the delay is to be more than 12 hours of day-light, in which case the charge will be a simple one of mooring and unmooring within port limits (rupees 16), and the pilot will be at liberty to leave until he is required to take the vessel out.

HARBOUR PILOTAGE.

The scale for harbour pilotage will be as set forth in the prescribed schedule.

Pilots to obey all orders of Master Attendant and to report arrival.

10. Pilots in bringing ships into port are to pay the strictest attention to the directions of the Master Attendant and Conservator of the port, and pilots shall report their arrival on all occasions at the office of the Master Attendant in person. But where they may have to attend immediately to any other vessel they are allowed, instead, to sign their names in the port book as having brought the vessel in.

Pilot to attend to call of a ship.

11. A pilot is bound to attend to the call of the master of a ship, and any pilot who may refuse or neglect to do so, or any pilot who may demand or

receive a higher rate of pilotage than he is entitled to under these rules, will be liable to be deprived of his license or such other deprivation as may be considered proper in his case, and as hereinafter provided in these rules.

Penalty for demanding a higher rate than is sanctioned.

But when a pilot is required to pilot an outward bound vessel the master will deposit the amount of pilotage in the office of the Master Attendant which amount shall be paid to the pilot on its being evident that he has performed the duty required of him.

Pilotage to be deposited for outward bound vessel.

In the case also of inward bound vessels the pilotage dues will be collected for the pilot by the Master Attendant, the pilots furnishing him with the master's certificate of the vessel's draft.

And also paid into Master Attendant's office for inward bound vessels.

A register shall be kept by the Master Attendant of all sums thus collected and paid to the pilots in the form prescribed.

Master Attendant to keep an account.

12. Any pilot leaving a ship from any cause (except default on the part of the ship, or with the master's consent,) before she has been taken to sea or anchored in the river according to the rules of the port, will not be entitled to any portion of the pilotage, and any pilot leaving a ship under his pilot charge, unless under a medical certificate or with the permission of the Master Attendant, will be liable to be suspended or to such other deprivation as may be considered proper in his case and as hereinafter provided in these rules.

Pilot leaving a ship before his duty is performed to forfeit pilotage.

Penalty for leaving a ship without due cause.

13. No pilot is to take charge of a ship or move her within the port of Akyab after she has once been anchored, without the order of the Master Attendant which order is not transferable to another pilot without the sanction of the Master Attendant. Any detention which may occur in effecting the duty is to be reported to the Master Attendant. The completion of the duty should also be reported.

Pilot not to take charge of a ship without orders of the Master Attendant.

Detention to be reported.

Provision for two pilots to be constantly on look out duty during the S. W. monsoon.

14. During the south-west monsoon the Master Attendant will weekly warn two of the licensed pilots in rotation to be on the look out for vessels making for the harbour, and in case of any vessel requiring the assistance of a pilot and not getting one, or in case of a vessel coming into harbour without a pilot on board, the pilots so warned for duty shall be suspended and a full report sent up of the circumstances by the Master Attendant to the Commissioner for his orders.

Notice how to be served.

The form of notice shall be according to prescribed form, and it will be sufficient for the notice to be sent and left at the pilots' quarters; a copy of the same being suspended in the Master Attendant's office.

Pilots to proceed to sea when ordered.

When sick to furnish a medical certificate.

15. Pilots will proceed to sea, when ordered by the Master Attendant, to ships in the offing. Any pilot becoming sick or unfit for duty is to immediately forward a sick certificate to the Master Attendant.

Licenses to be delivered up when suspended.

16. In cases where pilots are suspended from duty, their licenses are to be delivered up to the Master Attendant for the term of their suspension.

Optional with commander to take a pilot.

17. It being optional with the commander of a vessel to take a pilot or not; no vessel at sea need be boarded unless the signal for a pilot be hoisted, in which case it is imperative for a pilot to proceed on board without delay. In the event however of a pilot boarding a ship with the signal for pilot flying, the pilot shall be entitled to his full pilotage, although the captain may afterwards bring in his own ship unless he can show sufficient cause for having dispensed with the pilot's services after having demanded them by signal. A pilot also who may be unable from a heavy sea running, to board a ship, and runs in a pilot boat ahead and shows the way in, shall be entitled to his full pilotage as if he had been

But pilot to attend if signaled for.

Pilot entitled to pilotage if he is signaled for and boards.

Also if he shows the way in.

on board the ship in pilotage charge. This applies to a vessel at sea only.

Pilot to report on grounding vessel.

18. Pilots who may ground vessels are to report the occurrence to the Master Attendant in writing with as little delay as possible, specifying the place and time, state of the weather, direction and force of wind, time of tide, period on shore, extent of damage, and every other particular. A similar report should be sent in the case of any other accident occuring to a vessel while under a pilot's charge. These reports are to be certified by the master of the vessel.

Or on the occurrence of any accident to vessel.

Pilot to report when anchors or cables are lost.

19. When anchors and cables are lost the pilot in charge will report the occurrence in writing, specifying the time and place, particulars of size and quantity of chain, size of anchor, if buoyed, and nearest bearings. This report should also be certified by the master of the vessel.

Pilot to report alteration of sands, channels, &c.

20. Any pilot holding a license who observes any alteration in the position of the sands or channels, or if any of the buoys or beacons are driven out of position or injured, shall as soon as practicable, report the same in writing to the Master Attendant.

Penalty for disobedience of orders.

21. The pilots are to pay the strictest attention to the orders of the Master Attendant and for grounding a vessel or any other proved misconduct on board a vessel whilst in pilotage charge, or for any other neglect of any rule or regulation of the port, or any instructions issued with reference thereto by the Conservator of the port, or any infringement of or disobedience of these pilotage rules, a pilot may be temporarily suspended by the Master Attendant, the circumstances of the case being fully reported to the Commissioner within 24 hours of such suspension, and he may subsequently be deprived of his license under the orders of the Commissioner.

Provision for pilots' court of inquiry if demanded.

Provided that in all cases where the pilot may claim to put himself on his defence, the Master Attendant, as above noted, shall set forth the same, and a pilot's court of inquiry will be directed by the Commissioner of Arakan to assemble, whereof an European officer of the commission, under appointment of the Commissioner, shall be *ex-officio* the president, and two or more, if available, masters of vessels in the harbour and one or more licensed pilots shall be the members—and the Master Attendant shall conduct the prosecution, but shall not take any part in voting, or record his opinion at the close of the investigation. The court thus constituted shall simply examine (without oath) any person who may be in attendance for that purpose, recording their statements and the explanation or defence of the pilot, and also the statements of such persons as he may produce to clear himself, and shall on the conclusion of the inquiry, submit its proceedings with the opinion of the members to the Commissioner of Arakan. It will also in recording its opinion note, where the pilot may be in fault, what deprivation it considers the said pilot should be subjected to, and this shall be either confirmed or modified by the Commissioner according to the circumstances of the case. Provided that in the case of a diversity of opinion the Commissioner may exercise his own judgment in the matter as to the pilot being in fault or not, and order in his case as he thinks fit.

Constitution of the court.

Proceedings.

Opinion to be recorded.

Provision in case of diversity of opinion.

Penalties, deprivations, and disqualifications for misconduct.

22. Licensed pilots shall for proved misconduct, disobedience, neglect or unskilfulness resulting in injury, in matters connected with their professional work, be subject to the following deprivations by the order of the Commissioner, either on the report of Master Attendant, or, in cases where the pilot claims to have his conduct inquired into, on the proceedings of the pilot's court of inquiry,—that is to say, to

1.—Deprivation of license.

2.—Reduction to $\frac{3}{4}$,—$\frac{1}{2}$—or $\frac{1}{4}$ pilotage fees for a specified time, the remainder of the fees being placed in a fund to be called the Akyab pilots' fund, regarding disbursements from which a separate set of rules will be prepared.

3.—Reduction from full draft to limited draft for a period of not less than one month and not exceeding one year.

4.—Suspension of license for similar periods.

Pilots when to be re-examined.

In all cases where a pilot may be sentenced to suspension for more than 6 months, or to reduction to limited draft, he shall be required to appear before an examination committee before his license is restored to him.

When to forfeit pilotage.

And in all cases where the same is specially provided in these rules or where any damage has resulted to a vessel while in a pilot's charge, it shall also be competent for the Commissioner, at the recommendation of the pilot's court of inquiry or of the Master Attendant, in passing an order of deprivation as before noted, to direct that the pilot shall have no claim against the said vessel in respect of any fees that would otherwise have been claimable, and in the latter case, any deposit in the Master Attendant's office of pilotage fees made on account of the said vessel shall be returned to the party depositing the same.

Table of pilots to be kept.

23. A table showing the names of the licensed pilots in the harbour, with their respective drafts and numbers is to be exhibited in the office of the Master Attendant for the information of the public, according to the form prescribed.

And changes, &c., duly notified in the *gazette*.

A copy will also be posted in the office of the Collector of customs, and any change amongst the pilots either by the admission of a new pilot or by casualty, as also the final orders in the

case of any inquiry made into the conduct of any licensed pilot as hereinbefore provided, shall be duly notified in the *official gazette* of Akyab.

DEMURRAGE RULES FOR PILOTS.

What notice to be given.

24. Commanders of vessels requiring a pilot are to give written notice, at the Master Attendant's office, 24 hours previous to clearing out, specifying the day and date on which he will be required.

Rates of demurrage.

25. If after the pilot has been appointed, the vessel shall not move on the day and date specified, the pilot having been in attendance, he shall be entitled to 16 rupees as if the duty had been performed, provided the detention shall not have arisen from desertion of seamen, wind and weather, or tide, or any other cause which could not have been foreseen.

Master to give written statement of reason.

26. On any case of detention occurring within the limits of the port of Akyab, the commander will make a written statement of the reason and deliver it to the pilot for transmission to the Master Attendant, stating whether he requires the pilot the following day or not.

Rates for demurrage out of port.

27. Any pilot being detained on board a vessel out of the limits of the port by the desertion or misconduct of the seamen, or from any unforeseen casualty over which the commander could have no control, the pilot shall be bound to remain with the vessel, without any extra remumeration, for the space of 24 hours after which should the detention continue, the commander of the vessel will pay rupees 16 for every day of his detention, failing which the pilot may leave after 24 hours have expired, provided the detention has not been caused by the prevailing winds, weather or tides; for such delays no claim shall be admitted.

28. The commander of a vessel on arrival within the limits of pilots' water may detain the pilot 24 hours while waiting for orders, but he must pay the pilot rupees 16 for the detention in addition to the pilotage. If the vessel called for orders is anchored outside the bar and the commander wishes to engage a pilot to communicate with his agents, the sum charged shall be 16 rupees for carrying a letter on shore and rupees 16 for taking out a reply in the north-east monsoon, and in the south-west monsoon 32 rupees for each letter conveyed, it being understood that in no case shall the pilot boat be bound to wait for more than (two) 2 hours for an answer.

Pilots may be detained on arrival.

PART VII.—FORESTS.

The following notification of the Government of India in the Home department No. 1751, dated Simla the 21st September 1866, is published for general information. The Governor General in Council has been pleased to authorize *

* * * * * *

The Chief Commissioner of British Burma to exercise the powers of a Local Government under Act VII of 1865.

RULES

FOR THE ADMINISTRATION OF FORESTS IN BRITISH BURMA.

Preamble.

The following rules are published for the administration of the Government forests in British Burma, and for the management of foreign and drift timber :—

Limits of the forests.

1. The Government forests of British Burma are bounded and limited as follows :—

First.—Forests between the Irrawaddy river and the range of hills east of the Sittang river.

These forests comprise the hills and valleys of the Pegu Yoma range, and are bounded as follows :—

On the west by a line passing from the station of Meaday through the points of junction of the following streams :—

Boolay and Pudday,

North and middle Nawing,

thence to the head waters of the Meimakah river east of Prome, and along that river to the mouth of the Meoungdagah khyoung, in the Rangoon district.

On the south by a line drawn from the mouth of the Meoungdagah khyoung across to Pegu town.

On the east by a line drawn from Pegu town to Bonee village, thence to Kanyinokdoh village between the Binedah and Yainway streams, thence to the junction of the Woon and Koon streams, and thence across the Sittang river to Kyoukee town, and to the hills between the Sittang and Salween rivers, and along the line of water-shed, between the Sittang and Salween rivers, to the northern frontier line.

Second.—The forests in the Tenasserim division of British Burma :—

1.—The Beeling forests above the village Phawota on the Beeling river.

2.—The Yoonzaleen forests above the village of Kadinetitat on the Yoonzaleen river.

3.—The Domdamee forests above the junction of the Domdamee stream with the Salween river.

4.—The Thoungyeen forests between the hills bounding the Thoungyeen valley on the south-west and the Siamese boundary line.

5.—The Attaran forests above the junction of the Zimmay and Winyeo streams.

Administrative officers.

2. The officers appointed for the administration of the forests are :—

1.—The Conservator of forests.

2.—His Assistants, viz., the Deputy and Assistant Conservators, and the native forest Assistants.

3.—The subordinate officers, viz., goungs, goungways and peons, both in the forests and at the timber stations.

The administration of the forests throughout the whole province of British Burma shall be vested in the Conservator of forests.

The administration of one division or sub-division of the forests shall be vested in a Deputy or Assistant Conservator.

Duties of subordinate local forest officers.

3. There will be a subordinate forest officer in charge of every Government forest district. He must live within, or close to the forest. He will be expected to be thoroughly acquainted with every part of the forest, and whatever happens therein. In case of unauthorized felling, or other breach of the forest rules, it will be his duty to report the occurrence immediately. It will further be his duty to prevent, by all means in his power, the continuance or repetition of the acts constituting the breach. He will seize all wood or other forest produce unlawfully cut or removed, which he may find in the forests. He will use every lawful means for the defence of the property entrusted to his charge. He will be held responsible that no teak trees but those selected by the Conservator or his Assistants are felled.

Forest officers not to engage in other employ.

4. No forest officer shall engage in any employment or office whatever, other than his duties under these rules, unless expressly permitted to do so in writing by the Conservator of forests.

Teak trees—how protected.

5. No person is permitted, without orders from the Conservator or his Assistants, to mark, girdle, or fell any teak trees, large or small, to cut or break off branches from teak trees, or to injure them in any way.

Felling and dragging of timber.

6. The felling and dragging of timber must be done in such a manner as not to break or injure any teak trees. Owners of elephants are responsible for any injury done by their animals.

Sale and lease of Government forests.

7. No Government teak forest may be sold, and no grant of land may be given, within the limits of a Government teak forest without the special sanction in every instance of the Government of India, with the exception mentioned

below. Nor shall any lease be given for any Government teak forest, which includes the permission to girdle or otherwise to kill or fell green teak trees without the special sanction in every instance of the Government of India. In forests, thus leased, grants of waste land may be given without the special sanction of the Government of India. But the grantee will be bound, over and above the price of the land, to pay to the lessee of the forests an indemnification for every tree above a certain size standing on the land at the time the grant is made. The rate of this indemnification to be the same as the rate paid to Government by the lessee for the timber under his lease.

Toungyas where prohibited.

8. No toungya is to be formed on any spot on which stand teak trees, large or small, green or seasoned, with the permission of the officer in charge of the forest district. It shall be lawful for the Chief Commissioner to exempt certain forest districts from the operation of this rule and also to cancel the order of exemption at any time.

Teak in toungyas to be protected from fire.

9. All teak timber which may be lying in a place selected for a toungya must be protected against destruction by fire. The cultivators of the toungya will be held responsible for all injury done to such teak timber by fire.

Setting fire to teak forests prohibited.

10. Whoever sets fire to any teak forest, or causes the conflagration of a teak forest, is liable to punishment under these rules. Travellers will be held responsible for the extinction of their camp fires, and toungya cultivators must, to the best of their ability, prevent the spread of toungya fires into teak localities.

Other trees and bamboos are free, with certain exceptions.

11. All trees (except teak) as also bamboos are free. But it shall be lawful for the Chief Commissioner to authorize the levying of duty on the felling, cutting or otherwise using of

trees of other kinds; as also of prohibiting these being felled, cut, tapped, or in any way made use of, if they are below a certain size. It shall also be lawful for the Conservator of forests, or his Assistants to prohibit the felling, cutting or otherwise using of any trees which they may have marked or girdled.

Reserved tracts defined.

12. Certain tracts of forest, or waste land, will be reserved as the exclusive property of the State. Such waste or forest land will be termed "Government reserved forests." Unauthorized felling, cutting, marking, killing or injury of trees, shrubs or bamboos, or the collection of leaves, wood-oil, resin or other forest produce within the limits of the Government reserved forests, or any act which violates the rights of the State, as proprietor of these forest lands, will be punished. Toungya cultivation and interference of any kind with the ground or its produce without the special permission of the officers in charge of the Government reserved forests is prohibited. The right of using existing roads through the Government reserved forests will be free if compatible with the conservancy of the forests. But the Conservator of forests, with the sanction of the Chief Commissioner, shall be at liberty to close any existing roads through a reserved Government forest wherever he may deem it requisite to do so.

Demarcation of Government reserved tracts.

13. The boundaries of each Government reserved forest will be marked off as the Chief Commissioner may direct; where the boundary is not an established road, the bed of a river, or other line easily traced, a path at least 6 feet wide must be cleared through the jungle along the whole boundary line, and the marks should not be more than 200 yards apart. A proclamation must be issued and published in the nearest villages within a month of the final demarcation of the forest, stating in a general way the boundaries of the

forest, and warning against trespass, theft, or mischief. It shall ordinarily be the duty of the Deputy Commissioner of the district to issue this proclamation. A copy of it is to be deposited in the office of the Deputy Conservator of the district.

The officer in charge of a Government reserved forest must, twice a year, after the close and before the commencement of the rains, go along the whole of his boundary lines, and state in his report the state of the boundary lines and marks.

It is duty of the officer in charge of a Government reserved forest to report immediately every encroachment of the boundaries of his forest.

Demarcation of villages within reserved tracts.

14. Should villages be situated so as to be surrounded on all sides by a Government reserved forest, the boundaries around their lands must be demarcated in the same manner as the boundaries of a Government reserved forest, or should the villages be merely temporary settlements, they may be allowed to remain for a period not exceeding three years, under such conditions as the Conservator of forests and the Deputy Commissioner of the district may determine, under approval of the Chief Commissioner.

But no cultivation by clearing or burning the jungle is, on any account, to be permitted within the boundaries of a Government reserved forest.

Reserved tracts procedure.

15. The Conservator of forests or any Deputy Conservator in charge of a forest division may reserve any tract in the forests not exceeding one hundred acres, provided such tract does not contain houses or cultivation; forests of a larger size can only be reserved by the Chief Commissioner. The procedure to be observed in the reservation of forest tracts is described in schedule 1. The Chief Commissioner may at any time sanction alterations in the rules of this schedule.

16. The right of floating timber by natural streams and artificial canals in British Burma is reserved in all cases subject to the control of the district officer and other Government authorities. A list of streams in each district which may not be closed, nor blocked up, neither partially nor entirely, neither for fisheries, irrigation, nor for other purposes, is given in schedule 2. The Chief Commissioner may at any time add streams to this list. The throwing in of toungya refuse into these streams is prohibited.

Streams and canals not to be blocked up.

17. The Chief Commissioner may prohibit the poisoning of streams for the purpose of fishing in any division of the forests.

Poisoning of streams prohibited.

18. No teak timber which is subject to the control of the forest department, or found adrift in the creeks and rivers of the country, shall be marked, neither shall any mark on it be effaced. It shall not be converted, cut into pieces, nor burnt, neither shall it be concealed, removed, nor disposed of by sale or otherwise without orders from the Conservator of forest or his Assistants.

Teak timber—how protected.

19. The use of marking-hammers, except by an order of an officer of the forest department, on the rivers enumerated in schedule 3, and on such other rivers as the Chief Commissioner may direct, is prohibited.

The marking of timber where prohibited.

20. The disposal of timber from the Government forests of British Burma, either by sale or gratuitously for the common public benefit, will take place according to the regulations of schedule 4. The Chief Commissioner, may from time to time, amend these regulations.

Government teak timber—how disposed of.

21. All timber disposed of by the forest department will be stamped with such mark or marks as the Conservator of forests may, from time to time, direct, and the purchasers or grantees will, on application, receive a pass in the form exhibited in schedule 5.

Marks and passes for Government timber sold.

Foreign teak timber—how dealt with on the Irrawaddy and Sittang rivers.

22. Foreign teak timber when brought across the frontier on the Irrawaddy and Sittang rivers, must be reported at such stations as the Chief Commissioner may from time to time direct. Such timber will receive a pass in the form exhibited in schedule 6.

Teak timber brought to Maulmain how dealt with.

23. All teak timber which is brought down the Salween, Beeling, Attaran or any other rivers, to Maulmain, whether from beyond the frontier, or from the forests in British territory, must be reported and passed in the manner described in schedule 7.

Teak timber brought to Rangoon and Bassein.

24. All teak timber which is brought to Rangoon or Bassein will be examined at the river stations named in schedule 8. No rafts of timber shall leave or pass those stations without an order from the forest department.

Drift timber whose property.

25. All drift and unclaimed teak timber within the province of British Burma will be considered the property of Government, unless proof of ownership be given according to rules 31 and 32, and the provisions of schedule 7.

Scales of salvage for drift timber.

26. Scales of salvage for the different parts of the country are given in schedule 9. They may be altered by the Chief Commissioner. Notifications exhibiting those rates will, from time to time, be published for general information.

Permission to save drift timber how given.

27. Permission to parties wishing to collect their own timber, which may have gone adrift, will be granted on application, at the discretion of the Conservator of forests, or such Assistants as he may authorize to give that permission. The permit will be made out according to form in schedule 10. Those permits must show the marks which should be on the timber, and the holders will only be permitted to take away such logs as bear those marks.

28. Parties who have saved drift timber are bound to deliver the same on receipt of salvage money to such persons as are authorized by the Conservator of forests to receive it.

Procedure for persons saving drift timber.

29. At the stations of Rangoon, Prome, Toungoo, and Maulmain, and at such other stations as the Conservator of forests may direct, notices shall be published on the last day of every month, stating the number and description of pieces of drift timber brought in during the month.

Official procedure relative to drift timber.

30. Not less than 30 days' notice will be given for the reception of claims to the ownership of drift timber by the office from which the notice was issued, after which, no claimant appearing, the timber with such exceptions as are provided for in schedule 7 will be sold on account of Government. Claims for drift timber must be sent in with full particulars and according to form given in schedule 11.

Procedure for claimants of drift timber.

31. All such claims will be decided by the Conservator of forests, or such officers as he may authorize so to do, provided, however, that they shall be at liberty to decline to arbitrate regarding such timber in case they may see fit so to do, and refer claimants to the civil courts.

Claims how decided.

32. Timber awarded to claimants must be redeemed by payment of the salvage and other expenses which may have been incurred on account of such timber.

Claimed timber how redeemed.

33. It is the duty of the forest goungs, goungways, and peons of the department, and of all police officers, to see that these rules are not violated, and should they in any case be infringed, to report the same without delay to the forest officer in charge of the division or sub-division in

Procedure in case of breach of above rules.

which the offence took place; and it shall be lawful for any forest or police officer to take into custody without a warrant any person who hinders or obstructs him in the discharge of his duties under these rules. Provided that the person thus apprehended be brought before a Magistrate within three days from the date of his apprehension.

Penalty for breach of forest rules.

34. Any person who infringes any provisions of the forest rules, or any subordinate of the forest department who wilfully neglects his duty, will be liable to imprisonment without labor for a term not exceeding 6 months, or to a fine not exceeding two hundred rupees, commutable, if not paid, to imprisonment for a term not exceeding 6 months without labor. In cases where the infringement involves fraud, or theft, or any other offence provided in the Penal Code, the offender will be liable to be proceeded against in a criminal court under the provisions of the Penal Code.

Tools, timber and other articles may be confiscated.

35. Any axes, dahs, marking hammers, or other tools or implements used in an act which constitutes an offence against these rules, and all timber that has been marked or obtained in a manner contrary to these rules, or that has not been reported and passed in accordance with rules 21 to 24, and schedules 5 to 8, whether entire, or cut up, or sawn up, may be seized by any officer of the forest department or police officer, and such tools or implements and timber may be confiscated by the orders of the Magistrate of the district or any forest officer exercising the powers of a Magistrate, or a subordinate Magistrate.

Powers of the Conservator of forests.

36. The Conservator of forests shall have the powers of a subordinate Magistrate of the 1st class, but shall exercise those powers subject to such limitations as may from time to time be imposed by the Chief Commissioner.

37. The Chief Commissioner may vest any Deputy or Assistant Conservator of forests with the powers of a subordinate Magistrate of the 1st class, subject to such limitation as he may deem proper.

Powers of the Deputy and Assistant Conservators.

38. All cases of violation of these rules may be tried and determined by the Magistrate of the district, by the Conservator of forests or any Deputy or Assistant Conservator who may have been vested with the powers of a Magistrate or a subordinate Magistrate. The mode of procedure in the trial of forest cases will be that provided in Act XXV of 1861.

Procedure in cases of violation of these rules.

39. The appeals against the decision of the Conservator of forests while exercising the powers of a Magistrate under these rules will lie to the Court of the Commissioner of the division where the offence was committed. And the appeal against any decision of a Deputy or Assistant Conservator of forests acting as a Magistrate under these rules, will be to the Court of the Deputy Commissioner of the district.

Appeals where to lie.

A monthly register of all cases tried and determined by each forest officer in any division or district of a Deputy Commissioner is to be submitted to the Appellate Court. The register is to be kept in the form given in schedule 12.

SCHEDULE I.

ON THE PROCEDURE TO BE OBSERVED IN SETTING APART RESERVED FORESTS.

1. Whenever a forest officer proposes to reserve a forest tract he shall personally go round and through it to ascertain its natural boundaries and hold a valuation survey of it.

2. A report containing full particulars regarding the tract, whether any inhabitants are included within it, and the reasons for reservation, toge-

ther with a map of the district, showing the exact situation of the tract in question (a sketch map 2 miles to the inch if no district map exists) shall be forwarded to the Deputy Commissioner of the district who will attach his opinion to the report and forward it, through the Commissioner, to the Conservator of forests who will submit it to the Chief Commissioner for his final orders after attaching any remarks he may have to make.

3. The Deputy Commissioner, should he see no objection to such reservation, will, on receipt of the report from the forest officer, issue immediate instructions to prevent the cutting of gardens and toungyas within the locality which it is proposed to reserve, pending the final orders of the Chief Commissioner.

4. The Chief Commissioner will pass orders on the report, and if he approve of the tract being reserved, the forest officer will proceed finally to demarcate it in accordance with rule 13.

SCHEDULE II.

STREAMS WHICH ARE TO BE KEPT OPEN UNDER RULE 16.

RANGOON DISTRICT.

The Pegu or Zamayee river down to Pegu town, and all its tributaries.		Thayet and all its tributaries.	
Pounglin and all its tributaries.		Thabew	Do.
Mayzale	Do.	Magayee	Do.
		Okkan	Do.
		Thounzai	Do.

MYANOUNG DISTRICT.

Beeling and all tributaries.		Gamoong and all tributaries.	
Wayhla	Do.	Toung khyoung	Do.
Tanapo	Do.	Boben	Do.
Mokkha	Do.	Mimboo	Do.
Minhla	Do.	Toungyoh	Do.
Tsapoke	Do.	Shway-lay	Do.
Tyemyoke	Do.	Meimakah or Hline river from Tsanouay up to Engmah.	
Myaoung	Do.		
Kadet	Do.		

PROME DISTRICT.

Nawing and all its tributaries.
Boolay, including the choung goungyee, the Padday and all their tributaries.
Keenee and all its tributaries.

PARTLY RANGOON DISTRICT AND PARTLY TOUNG-OO DISTRICT.

Kawleyah and all its tributaries
Binedah Do.
Pyoontazah and Yainwary and all their tributaries.

TOUNG-OO DISTRICT.

Koon and all its tributaries.
Phyoo Do.
Ngagyat Do.
Kwaymathay Do.
Khaboung Do.
Swah Do.
Myolah Do.
Bimbyay Do.
Gwaythay Do.
Koonoong or Swoaydoyah and all its tributaries.
Kannee Do.
Thoukyaghat Do.
Youkthawah Do.
Moong Do.
Padah Do.
The Sittang river above Toung-oo town.

SCHEDULE III.

NAMES OF RIVERS ON WHICH THE USE OF MARKING HAMMERS IS PROHIBITED WITHIN THE BRITISH TERRITORY.

The Salween river.
The Sittang river.
The Pegu river at and below Pegu town.
The Puzoondoung river below Kyoongalay village.
The Meimakah, Hline and Rangoon rivers.
The Irrawaddy river and its branches, including the Bassein river.

SCHEDULE IV.

EXHIBITING THE RULES UNDER WHICH GOVERNMENT TIMBER IN THE PROVINCE OF BRITISH BURMA MAY BE DISPOSED OF.

1. By public auction sales, at stations or in the forests. At all public sales one portion of the payment (not less than twenty per cent. on the

amount) is to be made on the day of sale either in cash, public securities, or promissory notes, and the balance within a term not exceeding three months after the day of sale. No timber to be delivered before payment in full shall have been received; but the timber to be at the risk of the purchaser from the moment it is knocked down.

2. By private sale on indent approved of by the Conservator of forests, or the chief forest officer at the station or in the division where the sale is held.

Private sales shall not be effected at rates below the average rates realized at the public sales of the preceding year, unless by special order from the Conservator of forests.

No private sale of Government timber is to be considered as concluded, and no timber is to be delivered on account of the same unless the full amount of the purchase money is paid to the forest officer conducting the sale.

3. By sale of the seasoned timber standing or lying in a certain forest district, to permit or lease-holders. This timber remains the property of Government until the full amount of purchase money is adjusted. These sales hold good for a certain period. Timber not brought out within the time fixed, whether paid for or not, remains the property of Government. Sales of timber under this rule are not ordinarily to be concluded for a longer period than three years.

4. By grant gratuitously to parties residing in the district near the forests, and at a distance from the principal rivers, for the erection of buildings for the common benefit of the public, as Christian churches or chapels, schools, kyoungs, zayats, bridges, &c. Applications for timber under this rule may be made to the Conservator of forests, or his Assistants. Final orders regarding such applications granting timber for

these purposes, or otherwise, will be issued by the Conservator of forests, or by such Assistants as he may specially empower so to do. Timber granted under this rule will be pointed out to the grantees by the forest goungwais. The grantees must fell and remove the same to the place where the timber is to be used, within a fixed time.

Timber for these purposes will be given gratuitously, but on a certain date which will be mentioned on the grant this document must be returned to the Assistant or Deputy Conservator of forests in charge of the division, with an account showing how it has been used. Should it not have been expended for the purposes specified in the application, the timber will revert to Government, and the parties who received the grant will, if they should have applied the timber to other purposes, be liable to punishment under the forest rules.

SCHEDULE V.

FORM OF PASS FOR TIMBER SOLD BY THE FOREST DEPARTMENT.

No.	Date.	Owner or consignee.	Place of destination.	Description of timber.	Timber marks.	No. of logs or pieces.	Total.	REMARKS.

SCHEDULE VI.

FORM OF PASS FOR FOREIGN TIMBER IMPORTED INTO THE BRITISH TERRITORY.

No.	Date.	Owner or consignee.	Place of destination.	Description of timber.	Timber marks.	No. of logs or pieces.	Total.	Amount paid on account of duty.	Amount still to be paid.	Where to be paid.

SCHEDULE VII.

RULES

FOR THE MANAGEMENT OF THE KUDDO REVENUE STATION.

1. All timber passing down the Salween and Attaran rivers must be reported at the Kuddo revenue station within seven days of its arrival, failing which, on discovery, it will be liable to pay double duty before the timber is cleared.

Timber when to be reported at Kuddo.

2. Attaran timber to be declared for duty at the Nantay station, where it will be passed, all other timber to be declared for duty at Kuddo.

Duty on Attaran timber.

3. The report must contain full particulars regarding the timber, its position at the station, number and description of logs, their marks and other particulars. Owners of timber, or their agents who give incomplete or incorrect reports, render themselves liable to punishment under the rules for the administration of forests.

Particulars of report.

4. The reports will be open to public inspection for seven days before a certificate of registry will be granted. Copies of the reports will be forwarded daily to the Maulmain office for public inspection.

Report open for inspection for seven days.

5. After the lapse of seven days, the officer in charge of the revenue station will grant a certificate, and will mark each log with such marks as may from time to time be directed, except in case of incorrect reports, when a fresh report will have to be made under rule 1 before certificate of registry will be granted. No timber will be passed without a certificate.

Granting of certificate.

6. The following rates of duty are to be paid before the timber can be allowed to leave the station:—

Rates of duty to be paid.

	Rs.	A.	P.	
For logs of and above 5 feet in girth, ...	2	12	0	per log.
ditto from Attaran, ...	4	0	0	„
For logs below 5 feet in girth, ...	1	6	0	„
ditto from Attaran, ...	2	0	0	„
Stem pieces, ...	0	9	0	„
Ship crooks, ...	0	4	0	„
Boat ditto, ...	0	1	0	„
Small ditto, ...	0	0	6	„
Small pieces, ...	0	2	0	„

On the payment of these rates the timber will be passed and marked with the pass hammer of the timber revenue station. In measuring timber the middle girth must be taken.

What timber liable to confiscation.

7. All timber which passes the limit of the revenue station without the pass marks of the forest department, is liable to be seized and confiscated.

Period allowed for payment of duty and removal of timber.

8. All duty must be paid and timber removed within two years of date of certificate, failing which it will be advertised and sold to recover the duty and clear the depôt.

Period allowed for passed timber to remain at depôt.

9. Timber which has been passed must be removed within one month or be subjected to a fine of 8 annas per log per day during one month, after which, if not removed, notice will be given by advertisement and the timber removed from the limits of the station at the risk and expense of the owner. If from any natural cause beyond the control of the owner it is impossible to remove the timber within the period named, application should be made to the revenue officer who will pass special orders in the case.

Timber when to be removed.

10. The time for the removal of timber from the station is from sunrise to sunset, and no timber must be removed at any other time without

special permission from the revenue officer, who will judge of the necessity of the case. Breach of this rule will be punished under the forest rules.

11. Timber from the Government forests will be passed by the timber revenue officer, upon a certificate granted by the forest officer showing that the forest revenue has been adjusted.

Timber from Government forests how passed.

12. Parties wishing to transact business through agents must duly appoint these agents as required by law. The names of agents must be registered at the revenue office.

Agents how appointed.

13. All timber on which marks have been purposely obliterated by fire, or otherwise erased or defaced, will be retained by the Kuddo revenue officer and treated as drift timber under rules.

Obliterations of marks how punished.

14. Government to have a lien on all timber whether decreed by the Civil Courts or not, until payment of all government demands on the timber has been made.

Lien on timber to be held by Government.

15. Timber brought to the revenue station is not to be placed in any part of the channel on the east side of the Koutsing island. Any timber found lying there will be removed at the risk and expense of the owner.

Channel where timber is not to be placed.

16. Parties desiring to have river frontage allotted to them at Kuddo for placing and collecting their timber must apply to the revenue officer who will pass the necessary orders. The portion allotted will be registered in the office, and the application must be renewed on the first of January of every year.

River frontage at depôt how obtained.

17. Timber owners wishing to collect and mark their timber at Kyodan must register their marks and hammers at Kuddo.

Marks and hammers to be registered.

18. After the receipt of certificate of registration the timber may be stamped by purchasers at

Certificate what to contain.

Kuddo, but the marks or stamps put upon it must be reported at the office either in Maulmain or Kuddo to be entered in the original certificate, which should bear a complete record of all marks on the logs entered in it.

Fee for registration of hammers.

19. A fee of 10 rupees must be paid for every mark or hammer registered at the Kuddo revenue office, and a certificate will be granted on payment of a fee.

Registration to extend over two years.

20. This registration to hold good for two years, that is to say, from 1st May in each year to 1st May of the second year, when parties are required to register their hammers, either in person or by duly appointed agent.

Breaches of rules how punished.

21. Breaches of these rules by subordinates of the forest department and others, will be punishable under the rules for the administration of the forests in British Burma.

Appeals where to lie.

22. Appeals from the decisions of the Kuddo revenue officer shall lie with the Deputy Conservator in charge of the Salween division, and from the latter with the Conservator. Appeals from the decisions of the Conservator of forests shall lie with the Chief Commissioner.

Appeals in special cases where to lie.

23. In the absence of the Conservator of forests or Deputy Conservator from Rangoon or Maulmain, an appeal from the orders of the Kuddo revenue station officer shall lie with the Deputy Commissioner of the district of Amherst, who will pass orders should he consider it necessary to do so after inquiry into the matter. Such orders may be appealed from to the Commissioner, Tenasserim division, whose order shall be final.

Drift timber below Kuddo.

24. Parties who have salved timber below Kuddo must bring it to one of the Government drift timber depôts, reporting their having done

so with full particulars at the forest office Maulmain, where the amount of salvage as per schedule IX, will be paid to them on the timber being taken charge of.

Drift timber above Kuddo.

25. Parties who have salved timber above Kuddo must bring it to one of the stations mentioned in schedule IX, where they will be entitled to receive the salvage due.

Salvors to be appointed for salving of drift timber.

26. Salvage of timber below Kuddo will be in the hands of salvors (not to exceed four in number) to be named by the trade and approved of by the forest department, who will issue a "letmhat" to each and register their names in the forest office.

These "letmhats" will be cancelled by the forest department on sufficient grounds being shown.

Ownership to drift timber arriving at Maulmain how to be proved.

27. All drift and unclaimed timber coming down the Salween, Beeling, Attaran, and other rivers to Maulmain, will be considered the property of Government, unless proof of ownership be given within the time provided in rules.

Time allowed for claim.

28. Monthly notices will be issued of the number of drift logs brought in during the month; list containing the description of the logs and their marks (so far as they have been ascertained) will be open for inspection at the Kuddo and Maulmain offices. Claims to drift timber will be admitted up to date of preliminary notice of sale.

Public sales of drift timber.

29. Public sales of drift timber (should sufficient have been collected to render a sale advisible) will take place every six months, on the 15th January, and 15th July in each year.

At these sales no timber will be sold, the receipt of which has not been publicly notified, inviting claimants to come forward under rule 28, six months previously.

Beached logs how treated.

30. Logs found beached, or aground below the mouth of the Attaran and not in charge of any person, will be considered to be, and be treated as, drift timber.

SCHEDULE VIII.

NAMES OF RIVER STATIONS WHERE ALL TIMBER WILL HAVE TO STOP TO BE EXAMINED.

RANGOON STATION.

Timber arriving from the Sittang river,	At the mouth of the Poozoondoung creek.
Timber arriving from the Irrawaddy river,	At the mouth of the Tsankhyong, below Kemendine.

BASSEIN STATION.

Timber arriving at Bassein must stop above the town at such a place as the Collector of timber revenue may direct.

SCHEDULE IX.

RATES OF SALVAGE FOR TIMBER SAVED FROM THE UNDERMENTIONED RIVERS.

NAMES OF RIVERS.

I.	Sittang river stations above and including Kyassoo	3	8	0
	If brought to Rangoon...	6	0	0
II.	Irrawaddy river stations above and including Henzadah	2	0	0
	If brought to Rangoon and Bassein ...	4	0	0
	Hline, Pegu and Pounglin rivers also.			
III.	Rangoon river from and above Monkey point delivered at Government depôts	2	0	0

Below Monkey point and lying on sea shore delivered at Government depôts, expenses incurred will be charged.

NOTE.—One half only of these rates set down to be paid for drift timber saved, but not brought into Government stations and made over to the forest officers.

SALWEEN RIVER, BELOW KUDDO.

Between Kuddo and Battery point depôt ...	3	0	0
Between Battery point depôt and Kulwee channel	7	0	0

ABOVE KUDDO.

At Kyodan	0	4	0
At Kamanlay	0	8	0
At Koman or Komoung	1	0	0
At Meeboung to Pahan	2	0	0
At Kuddo	3	0	0

For logs in length below 12 cubits or in girth below 2 cubits, and for logs that are burnt or otherwise of inferior value, reduced rates will be paid.

SCHEDULE X.

FORM OF PERMIT TO COLLECT DRIFT TIMBER.

is permitted to pay salvage on, and collect the logs which bear the marks entered below in this permit.

Timber marks.

Kuddo,

186 .

N. B.—This permit is good only up to the 1st January 186

For salvage rates, see back of permit.

SCHEDULE XI.

FORM IN WHICH CLAIM FOR DRIFT TIMBER MUST BE PREPARED.

claims logs of drift timber lying at as per description and marks entered below :—

Depôt No.	Description and number of logs.	Marks.	Orders of revenue officer and remarks.

The 186

SCHEDULE XII.

REGISTER OF FOREST CASES TRIED AND DECIDED BY FOREST OFFICERS.

Number of register.	Name, residence and occupation of the accused.	Date and locality when and where the offence was committed.	Nature and description of offence.	Nature of evidence.	Date of sentence.	Sentence.	Commutation of punishment.	REMARKS.

RULES

FOR THE GUIDANCE OF THE OFFICER IN CHARGE OF KUDDO REVENUE STATION.

Dated Maulmain, 19th December 1864.

1. Every chokedar or watchman employed within the boundary of the Kuddo revenue station must produce certificates of good character, and be approved of by the station officer who will register him in the Kuddo office before he will be allowed to reside in the station.

2. The revenue officer may object to any chokedar or watchman living within the station whom he has reason to believe is not a person of good character.

3. A register will be opened for registration of these persons showing by whom they are employed and at what part of the station.

4. All residents in the station will be subject to the rules in force there and will be fined or expelled for breach of rules. The fine not to exceed 10 rupees, and a proceeding to be held in every case setting forth the cause of punishment.

5. These cases shall be reported monthly in the prescribed form which is to be forwarded to the Conservator of forests.

6. There shall be 4 peons with a boat at the entrance of the station, at the north, who will keep a register of all timber coming into the station, and will report daily all arrivals to the goung or entry clerk.

7. The duties of the goung or entry clerk will be to mark all timber with running numbers, compare it with the report, examine it and report to the officer in charge any discrepancies he may observe, noting them on the arrival report, which he will countersign and deliver daily into the office. The entry guard house will be specially

under his superintendence, and to him the peons stationed there must report all arrivals daily.

He will also measure undersized timber and take charge of drift timber.

8. A copy of the arrival reports must daily be sent to Maulmain and will lie for inspection for the prescribed number of days under rules.

9. A similar establishment of 4 peons shall keep watch at the exit guard house of the station, at the mouth of the Gyne river, and keep a daily register of all timber going out of the depôt.

The peons at the exit guard house must not suffer any timber to pass out of the depôt without the prescribed form. They must collect these forms and give them over daily to the overseer to be filed in the office.

10. The overseer will have special charge of the exit guard house and must daily send in a report of all timber which leaves the depôt. His duty will be specially to mark all timber with the pass marks. He will examine all timber before he passes it and see that it agrees with the timber pass form, without which no timber is to leave the depôt.

This "pass" must be given to the raftsman who will give it to the peons at the exit guard house as the timber leaves the depôt.

In the absence of the officer in charge the overseer will be in charge of the station.

11. The peons will, to perform their duty, push off in their boats when necessary, to obtain information and collect passes or stop timber.

12. The officer in charge should, on report by the overseer of any irregularity, institute imme-

diate inquiry into the case and after personal examination should issue such orders as he may deem advisable.

13. The officer in charge is on no account to leave the station unless it be to visit his guard boats or on authority of leave obtained from the Deputy Conservator of forests, Salween division.

14. He must keep up a daily journal, entering all matters of any importance and absences from Kuddo of every kind.

15. It is the duty of the officer, as a rule, to inspect all timber under his charge at the depôt, so as to satisfy himself that all is right.

16. It is his duty to see that the rules are observed and go round to all watchmen's tays once a week to see that they keep proper account of the timber in their charge.

17. No strangers will be allowed to remain and live within the precincts of the station without permission from the officer in charge.

18. All timber watchmen are expected to keep books showing the number of logs they have in charge. Should they be discovered to have timber in their charge which has not been reported, contrary to rule 1, or which is not entered in their books, they will be punished.

19. All drift timber should be reported at the office and taken to the appointed place for drift timber, salvors of timber will be paid salvage on application at the office.

20. Parties are not allowed to place their timber on the island at the mouth of the Gyne which is reserved by Government.

ADDITION TO CHOKEDAR RULES.

Dated Rangoon, 9th June 1865.

1. Each "tay" must have a number which shall be painted in a board placed in front of the "tay."

2. The number of the "tay" at which timber is lying when entered should be written on the arrival report and arrival report register.

3. No timber shall be marked with registry numbers unless it be at one of the tays in the station.

4. No large boats shall be allowed to pass out of the station after sunset without being examined by the exit guard house peons.

RULES

FOR CONDUCTING GIRDLING OPERATIONS IN THE FORESTS OF BRITISH BURMA.

Dated Rangoon, 5th December 1861.

1. Whenever girdling operations are ordered to be conducted in a forest district, timely notice shall be given to the permit holder, contractor or other party employed in working the forest, inviting him to assist in procuring coolies, elephants and other facilities for the work, and to attend himself or send his agents to be present at the selection of the trees to be girdled.

2. The girdling operations will commence on or before the 15th January and will not be continued beyond the 15th April.

3. None but first class trees are to be selected for girdling, and special cases excepted; only such trees are to be girdled as measure five cubits or seven feet six inches in girth and above.

All trees to be measured at six feet from the ground on the upper side of hill, forked trees to

be measured above the fork, unless the stem below exceeds 18 feet in length.

4. One-fourth of all first class trees standing in one locality may be girdled, that is, out of one hundred first class trees in any forest tract twenty-five may be girdled. The trees for girdling must be selected from those of the finest growth.

5. All trees that are attacked with epiphytic ficus are to be girdled whatever may be their size, provided they will yield marketable timber.

6. No trees are to be girdled which stand in localities whence they cannot with advantage be removed.

7. Trees standing isolated or so far from others that their death would deprive the ground of seedlings are not to be girdled.

8. No teak tree standing in a deserted toungya or on its borders is to be girdled.

9. If among a number of teak trees some stand isolated and others in groups, the trees for girdling are to be selected from those standing in groups.

10. The girdle must be cut at least four inches deep into the heart-wood of the tree, and all crevices must be well scooped out so as to prevent the over growing of sapwood.

11. Two flat marks must be cut into each girdled tree, one mark above the girdle, the other below it, each mark must be branded with the hammer denoting the year in which the tree is girdled, the marks must be smooth and cut into the heart-wood. They must be six inches in length and six in breadth.

12. All creepers on teak trees within sight of the girdling party must be cut.

13. All dry branches, bamboos and other inflammable matter must be cleared away from the foot of every girdled tree.

14. For work not done in accordance with the above rules, no payment will be made. Fines will be imposed for breaches of the rules as follows :—

a. For the girdling of any tree not attacked with epiphytic ficus in girth below five cubits, without special permission, a fine of ... ... 2 rupees.

b. For the girdling of any tree in excess of one-fourth of the first class trees, without special permission ... ... 1 rupee.

c. For a tree badly girdled, that is not cut sufficiently deep into the heart-wood, or with the crevices not sufficiently scooped out ... ... 1 „

d. For each creeper within sight of the girdling party not cut ... ... 1 anna.

No parties are to be engaged for the work who do not agree to the provisions of this rule.

15. In addition to the girdling operations and the cutting of creepers, all work necessary for the conservancy and improvement of the teak in the forests is to be carried on at the same time and according to the forest work rules. But for this the working parties will receive additional payment.

16. The officers appointed to conduct the girdling operations are—

1.—The superintending officer.

2.—The revising officers.

3.—The goungs attached to working parties.

17. There is to be one goung attached to each girdling party, the number of coolies in the party not to exceed twenty. The duty of the goung is daily to inspect the work, to keep the daily account of the girdling and forest work done, as

prescribed in schedule I, and to brand with the forest hammer every tree that has been girdled. On completion of the work in one locality, the goung will close the daily work account, and report to the revising officer.

18. There is to be one revising officer to a number of working parties, not exceeding four, his duty is to revise the work as soon as it is completed in one locality, making at the same time a forest survey of the forest tract according to the forest survey rules. He will enter the results of each revision and forest survey in the form of schedule II. He will determine the fines due for work not done in accordance with these rules, and he will make the payments for the work revised, deducting the amounts due on account of fines. After the work in one locality is completed, revised and paid for, he will appoint a fresh tract to the working party.

The payment for the work done is to be made personally by the revising officer, to each head man and coolie separately, and each person will sign the acquittance roll on the back of the daily work account.

The revising officer will also enter the general results of his revisions in one locality with the amount paid for the work, and the amount deducted on account of fines, on the back of the daily work account.

The revising officer will keep a journal of every days proceedings. This with the revision and forest survey reports, (schedule II,) and his daily cash account, (cash book) in the usual form, to which the daily work accounts, with acquittance rolls are attached as vouchers, form his report, which he will submit to the superintending officer on completion of the work in one forest district, or at such times as the superintending officer may direct.

20. The duties of the superintending officer are, to instruct the revising officers, the goungs attached to the girdling parties, and the girdling parties themselves in their work, to examine and check the accounts of the revising officers, to furnish them with the funds required for their operations, and generally to superintend the progress of the work.

21. The superintending officer will not allow any fresh working party, or any new goung or revising officer to commence work, without having first gone with him through the forest where the operations are to be conducted, and without having selected and marked in his presence at least fifty trees for girdling.

In like manner he will himself conduct the first revision of the work, and not allow any revising officer to attempt a revision, who has not been instructed in his work in the forest.

And after instructing all parties in their work he will, as often as possible, accompany the revising parties and countersign the revision report of each revision at which he has been present.

23. In special cases the superintending officer may permit first class trees to be girdled which measure less than five cubits in girth, but he is not permitted, without special authority, to deviate from any of the other rules for the selection of the trees to be girdled.

The number of trees under five cubits in girth, girdled by his permission, and the reason for giving this permission must be recorded in the column of remarks of the daily work account.

24. After completion of the work for the seaon, the superintending officer will prepare abstract statements of trees girdled and forest work done in each forest district in the form of sche-

dule III, and he will cause copies of these statements to be entered in the goungway's registers of the trees girdled and forest work done.

25. The reports which are to be rendered by the superintending officer, on the girdling operations of the season, will consist of the following documents :—

1.—The journal kept by the superintending officer.

2.—The abstract statements of trees girdled and forest work done.

3.—The abstract of expenditure for girdling operations and forest work exhibited under the following heads :—

A.—Girdling and forest work.

B.—Work establishment.

C.—Tools and stores including conveyance.

D.—Rations to coolies including conveyance.

E.—Sundries.

This abstract will be rendered either monthly or once at the close of the season.

The amount of this abstract for the season must not exceed the amount sanctioned for the work.

The vouchers to A. are the daily work accounts for girdling and forest work.

The vouchers for the other heads will be in the usual form.

4.—Copies of the revision reports for girdling and forest work.

5.—Sketch maps of such parts of the forests as have been explored during the progress of operations.

GENERAL RULES.

1. All timber passing down the Salween and Attaran rivers must be reported at Kuddo revenue station within seven days of its arrival; failing which, on discovery, it will be liable to pay double duty before the timber is cleared.

2. Attaran timber to be declared for duty at the Nantay station, where it will be passed. All other timber to be declared for duty at Kuddo.

3. The report must contain full particulars regarding the timber, its position at the station, number and description of logs, their marks, &c.

4. Incorrect reports in which marks are omitted, &c., will be severely dealt with, and will be punishable by fine not to exceed 100 rupees, at the discretion of the revenue officer.

Forms for the report can be obtained at the station office on application.—(Schedule A.)

5. The reports will be open to public inspection for seven days before a certificate of registry will be granted.

6. No timber to be passed without a certificate.

7. The following rates of duty are to be paid before the timber can be allowed to leave the station:—

The rate of duty per log of and above 5 feet girth, and of any length is for the Salween river, (including Gyne, &c.)	Rs.	2	12	0
Do. Attaran do.	„	4	0	0
Stem pieces, ...	„	0	9	0
Ship crooks, ...	„	0	4	0
Boat do, ...	„	0	1	0
Small do.	„	0	0	6

Timber under the standard of 5 feet girth will be permitted to pass in the proportion of 10 per cent. at half the above duty, with each raft of logs

of the standard size, and simultaneously with such raft. Any timber under the standard, in excess of this proportion, will be confiscated.

Timber under the standard size declared foreign on affidavit will be measured and passed, and the duty charged according to cubical contents at the old rate of 15 per cent. valued at rupees 14 per ton.

8. All timber which passes the limit of the revenue stations without the pass marks of the forest department, is liable to be seized and confiscated without question or delay, unless it be clearly shown to have been the result of accident, when a fine only will be levied, not exceeding 1 rupee per log.

9. All duty must be paid and timber removed within two years of its arrival or registration at Kuddo, failing which it will be advertised and sold to recover the duty and clear the depôt; any surplus over revenue due being held in deposit for the owner.

10. Timber which has been passed must be removed within 20 days or be subjected to a fine of 8 annas per log per day during one month; after which, if not removed, notice will given by advertisement and the timber removed at the expense of the owner. If from any natural cause beyond the control of the owner, it is impossible to remove the timber within the period named, application should be made to the revenue officer, who will pass special orders in the case.

11. The time for the removal of timber from the station is from sunrise to sunset, and no timber must be removed at any other time without special permission from the revenue officer, who will judge of the necessity of the case. Breach of this rule will be punished by fine not exceeding 50 rupees.

12. British timber will be passed by the timber revenue officer upon a certificate granted by the forest officer.

13. Parties wishing to transact business through agents must duly appoint these agents as required by law, by application at the revenue office where the agent will be registered.

14. All timber on which marks have been purposely obliterated by fire, or otherwise erased or defaced, will be liable to confiscation.

15. Government to have a lien on all timber whether decreed by the Civil Courts or not, until payment of all Government demands on the timber has been made.

16. Timber brought to the timber revenne station is not to be placed in any part of the channel on the east side of Koutsing island called Oungtheben or Gaudama bank. Any timber found lying there will be removed at the expense of the owner.

17. Parties desiring to have river frontage allotted to them at Kuddo for placing and collecting their timber, must apply to the revenue officer who will pass the necessary orders. The portion allotted will be registered in the office and must be renewed on the first January of every year.

18. In measuring timber the middle girth must be taken.

19. The revenue officer, should he see cause for so doing, may remit any of the fines imposed by these rules, but must in every instance enter the case in a book to be kept for the purpose at the office, with his reasons for such remission.

In cases of importance he will refer the matter for the orders of the Conservator of forests.

20. Appeals from the decisions of the revenue officer shall lie with the Conservator of forests, and from the latter with the Chief Commissioner.

21. Subordinates of the forest department, who commit a breach of these rules will be subject to the fines set forth therein.

22. The use of marking hammers on the Salween and other rivers within the British territory is strictly forbidden.

23. Any person found stamping or marking timber will be prosecuted criminally under section No. 193 or 207 of the Penal Code, as the case may require.

24. Timber owners wishing to collect their timber at Kyodan, must register their marks and hammers at Kuddo.

25. After registration of timber it may be stamped by purchasers at Kuddo, but the marks or stamps put upon it must be reported at the revenue office to be entered in the original certificate, which should bear a complete record of all marks on the logs entered in it.

26. A fee of rupees 10 must be paid for every mark or hammer registered at the revenue office, and a certificate will be granted on payment of fee (as per form K.)

27. This registration to hold good for two years, that is to say from 1st May in each year to 1st May of the second year, when parties are required to re-register their hammers either in person or by duly authorized agent.

RULES

FOR DRIFT TIMBER.

28. Parties who have salved timber must bring it to the drift timber depôt at Battery point, reporting their having done so, with full particulars, at the revenue office, where the amount of salvage due will be paid to them on the timber being taken charge of.

29. The following rates will be paid to salvors of timber :—

	Yard and mast.	Doogies.	Loozars.	Small.
	rs. a.	rs. a.	rs. a.	rs. a.
For logs brought into Battery point from below Maulmain, ...	7	5	3	8
Above Maulmain and below Kuddo, ...	3	2	1	4
For logs salved above Kuddo if brought to Kuddo, ...	2	1	8	4
If salved at the bank of the river where saved, ...	1	8	4	2

30. Salvors of timber must give up the timber to such parties as the revenue officer directs, on payment of the salvage due.

31. All drift and unclaimed timber to be considered the property of Government, unless proof of ownership be given within the time provided in rule No. 32.

32. Monthly notices will be issued of the number of drift logs brought in during the month. Three months will be allowed for claimants to come forward and prove their claims after which the timber will be considered the property of Government, and may be sold for the benefit of Government and recovery of salvage paid.

33. The rates of salvage to be paid to Government on all drift timber collected by them will be the same as those mentioned in rule 29,—with the addition of such expenses for securing and

watching as may of necessity have been incurred on the timber.

34. Disputed claims may be referred to the revenue officer for decision; but it will be optional for him to decide them or not as he may deem best. A decision must be come to, whether by the Courts or otherwise, before the expiry of 3 months from issue of notice, when the logs are liable to be sold or given over to first claimant on payment of the salvage due.

35. The scale of salvage to be hung up in every police station, or other Civil Court or office on the banks of the rivers.

36. Permits to parties wishing to pay salvage for and collect their own drift timber will be granted to reliable persons on application, (as per form G.) These permits must contain the marks which should be on the timber, and parties will only be permitted to pay salvage and take away such logs as bear their marks.

37. Logs found beached or aground below the mouth of the Attaran and not in charge of any person, will be considered to be, and be treated as drift timber.

38. All drift timber will be taken to the Battery point drift timber depôt, where it can be inspected.

39. Claims for drift logs must be sent in with full particulars to the revenue officer (as per form H.)

FORM OF PROCEDURE FOR REPORTING AND CLEARING TIMBER AT KUDDO REVENUE STATION.

1. On arrival of timber at Kuddo, it must be reported within seven days of arrival, on form A.

2. The report containing full particulars will then be open for public inspection for seven days at the revenue office.

3. The timber will be registered as soon as possible after arrival; but no certificate will be granted until after seven days have elapsed from date of report. (Certificate as per form B.)

4. When duty is paid the certificate must be taken to the revenue office. There a chelan (form D.) for the payment of the amount of revenue into the treasury will be filled in. On payment of the money a receipt in duplicate (form E.) will be granted, which together with certificate must be produced at the Kuddo station. An order as per form F. will then be given to pass the timber.

5. This order must be given up to the goung or peon when the timber is delivered over, to be returned and finally filed in the revenue office.

FORM A.

ARRIVAL REPORT.

begs to report the arrival at Kuddo on the 186 of logs of timber of the description, and bearing the marks mentioned below, and prays that it may be stamped and registered, and a certificate granted according to custom.

The 186

FORM B.

REPORT NO.

Certified, that
reported and registered . logs
of teak timber as
property, bearing the undermentioned marks.

Registered marks. *Registered numbers.*

and on which a sum of rupees is due on
account of timber duty which the said
agrees to pay within two years from
this, that is to say, on or before the day of
186 in acknowledgement of which
he has hereto attached his signature.

KUDDO,
Timber revenue office,
The 186 .

FORM D.

CHELAN.

Zillah Amherst province,
Register No. Accountant's office,
Chelan of cash
Dated 186 .
On account of duty on
Foreign Thoungyeen, for 186 -6
British do.
Karence do.
Zamee do.
Drift do.
Confiscated do.
From timber revenue office,
by whom brought
Cash bank notes total.

FORM E.

OFFICE RECEIPT ON PAYMENT OF REVENUE.

Receipt No.
Chelan No.
Rupees

Received from
on account of duty due to the timber revenue department for logs of teak timber,

the sum of rupees

The 186 .

FORM F.

PERMIT.

is permitted to remove the within-named timber lying at
on which revenue duty has been paid.

No. of logs. Stamped Nos.

N. B.—This document must be given up to the person who delivers over charge of the timber, who will return it to the office.

(For salving timber by the owners above Kuddo.)

FORM G.

is permitted to pay salvage on, collect, and take to Kuddo all logs which bear the marks entered below in this permit.

Timber marks.

KUDDO,
186 .

NOTE.—This permit is good only up to the 1st January 186 .

(Drift timber claim.)

FORM II.

claims logs of drift timber lying at as per description and marks entered below.

Depôt No.	Description and No. of logs.	Marks.	Orders of revenue officer and remarks.

MAULMAIN,
The 186 .

(Drift timber notice.)

FORM I.

NOTICE.

logs of teak timber the owners of which are unknown, are now lying at the timber depôt Battery point. Any parties having claims upon the same are requested to come forward and prove their claims within three months from this date at the revenue office, Kuddo, and after paying salvage &c. upon the same to remove the timber.

No claim will be admitted after three months, when the timber will be sold for the benefit of Government.

186 . *Assistant Conservator of Forests.*

FORM K.

NOT TRANSFERABLE.

No. ———

Certified that has paid rupees as fee for registering the hammer as per fac-simile below.

KUDDO,
Revenue station,
The 186 . *Assistant Conservator of Forests.*

AMENDED RULES

FOR CUTTING IRON-WOOD IN ARAKAN.

8th August 1865.

1. All forests are under the immediate charge of the Thoogyee (or Kyonoke) of the circle in which they are situated, supervised by the Myooke of the township.

2. The felling of iron-wood trees below four and a half feet girth (measured at three feet from the ground) is strictly prohibited.

3. Parties requiring iron-wood timber will apply to the Deputy Commissioner of the district for a permit to fell the same; the application to state merely the number of trees required and in what circle it is intended to cut them.

4. The Deputy Commissioner, on receipt of the application, will take a bond from the applicants to pay liquidated damages, not exceeding rupees 100, for each tree under girth that may be cut down, and on receiving payment of the amount of tax, calculated at one rupee for every tree, the Deputy Commissioner will issue a permit for felling the trees.

5. Ordinarily no more than one permit will be granted for the privilege of felling iron-wood trees in one circle; but more may be granted provided the Deputy Commissioner can clearly define the boundaries within which each permit has force. For each separate tract or part of a circle separate permits will be required, and no single permit can have force at the same time in two circles.

6. A register of permits will be kept in the Deputy Commissioner's office in each district, and a copy of permit granted will be forwarded to the Thoogyee (or Kyonoke) concerned, to enable him to keep a check on the cutters.

7. The permit will be in force till the 30th April in each year, and any trees included in the permit which have not been felled and taken away up to that date will revert to Government. After a permit has lapsed the same person may receive another for the same forest tract.

8. It will be the duty of the Thoogyee (or Kyonoke) to see if the logs cut are undersized or not, and for this purpose he will from time to time, as necessary, personally inspect the same on the spot where they may be felled, and he is held responsible that any infringement of these rules by the cutters is immediately reported to the Deputy Commissioner of his district.

9. Wood-cutters are to be distinctly informed by both the permit-holder for whom they work and by the Thoogyee (or Kyonoke) of the circle, of the number of trees to be cut down, and wood-cutters dishonestly cutting down more trees than in the permit are subject to be proceeded against according to law.

10. One half of all fines or damages paid under these rules, will be payable under the orders of the Deputy Commissioner to the Thoogyee or other person by whom the infringement of rule, under which the fine or damage has been imposed, shall have been detected and brought to notice.

PART VIII.—MISCELLANEOUS.

EXAMINATIONS.

The following extracts from General Order No. 734, dated 9th September 1864, by His Excellency the Governor General in Council having reference to examinations in the vernacular languages of India, are published for general information :—

SECOND STANDARD.

* * * * * *

Section 5. The object of the second standard is to insure that officers passing it shall have acquired such a knowledge of the Hindustani language, as shall qualify them, so far as that language is concerned, for general employment on the staff, and for admission on the staff corps.

Section 6. To this end candidates will be tested as to their ability ;—1st, to read and construe passages in books of ordinary difficulty in Urdu and Hindi ; 2nd, to make accurate and idiomatic written translations from English into Hindustani in both the Persian and Deva Nagari characters ; 3rd, to read and translate petitions, native letters, &c. in Urdu and Hindi ; 4th, to converse with educated or uneducated natives of India.

EXAMINATION IN LANGUAGES, OTHER THAN HINDUSTANI.

Section 8. In addition to the foregoing examinations, there will be examinations for military officers in the languages of India, other than Hindustani, hereinafter mentioned.

* * * * * *

5.—BURMESE.

Section 9. The tests for examinations in any of these languages are to correspond with those laid down for the examination by the second standard in Hindustani.

* * * * * *

RULES

FOR EXAMINATION IN THE BURMESE LANGUAGE.

Dated Rangoon, 20th March 1865.

With the sanction of His Excellency the Viceroy and Governor General in Council, the following rules in supersession of existing regulations on the subject of examination in the Burmese language, are published for general information :—

Preamble.

The revised rules are not intended to raise the standard of the first examination beyond what has hitherto existed, but to apply the rules on the subject promulgated by His Excellency the Governor General in Council, under date the 9th September 1864.

There will be two standards of examination in the Burmese language.

The object of the first examination is to ensure that officers passing it, shall have acquired such a knowledge of the Burmese language, as shall qualify them, so far as that language is concerned, for general civil employment in British Burma.

To this end candidates will be tested as to their ability :—

1. To read and construe passages in ordinary easy books in Burmese.
2. To show some acquaintance with the writing and spelling of the Burmese language.
3. To read and translate petitions in Burmese.
4. To converse with a native of British Burma.

First. Translating with sufficient accuracy in writing, not less than an ordinary octavo page of Latter's selections, viz., the Thoodamatsarie, Damapada, and Pootsa Bageena. Tests for first or lower standard.

Second. To write from dictation in Burmese not less than half a page of the book called the Dama-that, or laws of Menu.

Third. Reading fairly and translating with tolerable accuracy, a manuscript written in the Burmese language. The manuscript should be selected from the petitions filed in Court. It should be written with clearness, but in such a manner as fairly and honestly to represent the written characters, as practically employed amongst Burmese in the province of British Burma.

Fourth. Conversing with the examiners, or a native of Burma, with sufficient correctness to be intelligible.

Every candidate passing the above examination will be entitled to a donation of 250 rupees.

The second examination will be similar in principle, but more difficult in degree. It will supersede the Burmese portion of the examination now held for junior officers of the Commission, but it will be necessary to pass it, before promotion to a Deputy Commissionership.*

First. Reading fluently, and construing with readiness and accuracy an ordinary octavo page of Latter's selections or Way-than-da-ya. Tests for second or higher standard.

Second. Translating accurately, and with correctness of idiom, and grammar, not less than half an ordinary octavo page of plain English,

* These rules apply only to those officers who entered the Commission AFTER the 20th of March 1865.

into language similar to that of Thoodamatsarie. The translation to be written in the Burmese character.

Third. Reading fairly, and translating readily and correctly, a manuscript written in the Burmese language. The manuscripts may be selected from the proceedings of a case in Court, from the reports, or petitions addressed to civil or military authorities, from letters passing between native Burmese in the ordinary course of business, or from private correspondence. They should not be written with the clearness of a printed book, nor yet in a cramped or crabbed hand, but in such a manner as fairly and honestly to represent the written characters as practically employed amongst the Burmese in the province of British Burma.

Fourth. Conversing with the examiners, or with a native of Burma with fluency, and with such correctness of pronunciation, grammar, and idiom as shall be at once intelligible.

Every candidate passing the above examination, will be entitled to a donation of 500 rupees.

With the sanction of His Excellency the Viceroy and Governor General in Council, the Burmese language is substituted for Persian as regards the qualification of officers for civil-political employ in British Burma.

The proceedings of Government No. 1484, of 5th December 1864, published in the *Gazette of India,* page 947, of that year, prescribing that a knowledge of the Persian language is essential to the admission of a military officer for employ in the civil-political department, will accordingly have no force in British Burma.

The above examination will be held on the 15th of April and October, at Rangoon, under the presidency of the Deputy Commissioner; should those dates fall on a Sunday, candidates will be examined on the day following.

RULES

FOR EXAMINATION IN THE KAREN LANGUAGE.

Dated Rangoon, 20th March 1865.

Tests for examination in the Sgau dialect of the Karen language.

With the sanction of His Excellency the Viceroy and Governor General in Council, the following rules for examination in the Sgau dialect of the Karen language, are published for general information :—

The candidate will be required.

1. To read and construe any portion of the four gospels.

2. Read and translate a petition.

3. Converse with a native in the Sgau tongue.

A donation of rupees 250 will be awarded to the candidate who passes the above tests.

As occasion requires, special orders will be issued for the assembling of committees to examine candidates in the above tests.

RULES

FOR THE EXAMINATION OF ASSISTANT SURGEONS IN THE BURMESE LANGUAGE.

Dated Rangoon, 20th March 1865.

Committee.

For the examination of Assistant Surgeons in the Burmese colloquial, committees will be assembled under the orders of the Commissioners of divisions at their head quarter stations.

Such committees will be composed of two officers who have passed an examination in Burmese, and a medical officer of experience.

Tests.

A paper will be prepared by the committee, consisting of fifteen or sixteen sentences on subjects of conversation that are likely to arise in the particular intercourse of medical officers with the natives, for which purpose a medical officer is appointed a member of the committee, that he may assist in framing the questions.

This paper will be prepared and read slowly to the candidate by a member of the committee, whilst another member will take down the translation made by the candidate. The candidate will be expected to translate such paper with readiness, correctness of idiom and tolerable accuracy of grammar.

A donation of rupees 180 will be awarded to whomever passes a successful examination.

IN SUPERSESSION OF ALL EXISTING ORDERS ON THE SUBJECT, THE CHIEF COMMISSIONER DIRECTS THE ADOPTION OF THE FOLLOWING RULES FOR THE EXAMINATION OF JUNIOR OFFICERS IN THE COMMISSION OF BRITISH BURMA :—

Dated Rangoon, 9th April 1866.

First standard.

Twelve questions on the Code of civil procedure.

Twelve questions on the Indian Penal Code and Code of criminal procedure having reference to the powers of a subordinate Magistrate of the 1st class.

Twelve questions on the rules for the revenue administration of the province, including abkaree.

Six questions on the circular orders issued from the office of the Account General, British Burma. In addition to this the candidate will be required to draw up a brief summary of, and pass a judgment on—a civil, criminal and revenue case.

This examination will be the same in nature, but wider in scope than the first or lower standard, and will comprise the entire duties of a Deputy Commissioner. Second standard.

The questions will be taken from the Codes of civil and criminal procedure, from the Indian Penal Code, and from any other act having reference to the province on—civil, criminal, revenue, treasury or Police duties.

The central committee of examination, of which the Commissioner of Pegu is *ex-officio* President, assembles annually on the 15th October, at Rangoon. It prepares the examination papers, which are forwarded by the President, under a sealed cover, to each Deputy Commissioner under whose orders the several candidates are, and at the close of the examinations they are returned to him for final disposal.

In their award the central committee will be guided by the following ratio of marks :—

RATIO OF MARKS TO BE AWARDED.

	very good,	6	12	18	24	30	36	42	48	54	60	66	72
$\frac{5}{6}$	good, ...	5	10	15	20	25	30	35	40	45	50	55	60
$\frac{2}{3}$	fair, ...	4	8	12	16	20	24	28	32	36	40	44	48
$\frac{1}{2}$	ordinary, ..	3	6	9	12	15	18	21	24	27	30	33	36
$\frac{1}{3}$	indifferent,	2	4	6	8	10	12	14	16	18	20	22	24
$\frac{1}{6}$	bad, ..	1	2	3	4	5	6	7	8	9	10	11	12
0	very bad, ..	0	0	0	0	0	0	0	0	0	0	0	0

The table below exhibits the number of marks allotted to each subject.

EXERCISES.	Maximum of marks.	Minimum required to pass.	DEPARTMENT.
Civil questions, ...	72	36	Civil.
Civil case, ...	36	18	
Criminal questions, ...	72	36	Criminal.
Criminal case, ...	36	18	
Revenue questions, ...	72	36	Revenue.
Revenue case, ...	36	18	
Treasury questions, ...	36	18	Treasury.
General administration,	36	18	Administration.
Total.....	396		
Minimum required to pass whole examination, ...	.....	297	

Marks obtained from 297 to 330 passed.
" " " 331 to 363 passed with credit.
" " " 363 to 396 passed with great credit.

RULES

FOR THE EXAMINATION OF ASSISTANT SUPERINTENDENTS IN THE POLICE FORCE OF BRITISH BURMA, IN DEPARTMENTAL MATTERS, AND IN THE BURMESE LANGUAGE—SANCTIONED BY GOVERNMENT OF INDIA, HOME DEPARTMENT, ON THE 23RD JUNE 1866, NO. 2182.

On and after 1st May 1866, no Assistant Superintendent will be promoted to Superintendent, unless he has passed the following examination in criminal law :—

(5) Five questions on the Indian Penal Code, Act XLV of 1860.

(5) Five questions on chapters 4, 5. 6, 7, 8 and 9 of the Code of criminal procedure, Act XXV of 1861.

(5) Five questions on Act V of 1861, an Act for the regulation of Police.

(5) Five questions on departmental procedure, taken from circulars of the Chief Commissioner and Inspector General of Police.

These exercises are to be written. The twenty questions will be given in English, and the candidate required to deliver in written answers in English.

The questions on the Indian Penal Code will refer to definitions of crime, and not to degrees of punishment or matters more entirely judicial.

The number of marks allotted to each exercise is noted in the following table :—

No. of exercises.	No. of questions.	Exercises.	Maximum marks.	Proportion of marks.							Remarks.
				Very bad.	Bad.	Indifferent.	Ordinary.	Fair.	Good.	Very good.	
			60	,,	10	20	30	40	50	60	
1	5	Indian Penal Code Act XLV of 1860, ...	60	,,	10	20	30	40	50	60	
2	5	In chapters 4, 5, 6, 7, 8 and 9 Code of criminal procedure Act XXV of 1861, ...	60	,,	10	20	80	40	50	60	
3	5	Police Act—Act V of 1861, ...	60	,,	10	20	30	40	50	60	
4	5	Departmental procedure,	54	,,	9	18	27	36	45	54	
		Total...	234	,,	39	78	117	156	195	234	

Each candidate in order to pass must obtain at least two-thirds of the aggregate number of marks allotted for the entire examination, and must obtain in each separate branch not less than one-third of the marks allotted to that branch.

Those who obtain not less than two-thirds, but not more than seven-ninths, will be returned simply as "passed;" more than seven-ninths up to eight-ninths as "passed with credit;" more than eight-ninths as "passed with great credit."

MAXIMUM NUMBER 234.

Marks obtained from			156 to 182 passed.
"	"	"	183 to 208 passed with credit.
"	"	"	209 to 234 passed with great credit.

On and after 1st May 1866, no Assistant Superintendent of Police will be promoted to Superintendent who has not passed the following examination in the Burmese language, being the third and fourth tests of the first standard laid down in the rules, dated 20th March 1865:—

The candidate will be required to read fairly and translate with tolerable accuracy, a manuscript written in the Burmese language. The manuscript should be selected from the petitions filed (on the criminal side) in Court. It should be written with clearness but in such a manner as fairly and honestly to represent the written characters as practically employed amongst the Burmese in the province of British Burma.

The candidate will also be required to converse with a native of Burma with sufficient correctness to be intelligible.

For passing this test in the Burmese language, an Assistant Superintendent of Police will be entitled to a reward of 125 rupees.

Assistant Superintendents who pass by the first or second standard as laid down in the rules for examination in the Burmese language, dated 20th March, will be considered as having an additional claim for promotion.

RULES

FOR THE EXAMINATION OF THE NATIVE EXTRA ASSISTANT COMMISSIONERS IN BRITISH BURMA.

1. Any native of British Burma, with the exceptions hereinafter mentioned, who may be appointed after the 1st January 1866, to be an Extra Assistant Commissioner, will be so appointed on probation for six months, at the end of which time he will be required to pass an examination in the following subjects, viz., five questions in :— Tests.

1.—Indian Penal Code.

2.—Code of criminal procedure, Act XXV of 1861.

3.—Code of civil procedure.

4.—Revenue rules.

5.—Surveying.

2. The examination will be held when required, half yearly, on 1st January and 1st July, or as near those dates as possible, at the head quarter stations of Deputy Commissioners of the districts in which the candidates are employed.

3. The questions will be secretly prepared by Commissioners of divisions, and will be forwarded sealed to the charge of the Deputy Comissioner they are intended for. The papers will be unsealed in presence of the examination committee and of the candidates. The questions will be written in the Burmese language, for Burmese, and in the Karen language, for Karens, and the answers will be inscribed by the candidates in the presence of the committee in similar language to the questions. No book of reference will be allowed.

4. The examination will be conducted by the Deputy Commissioner of the district in which the candidates are serving, aided by one Assistant

Commissioner, and one senior Extra Assistant Commissioner, (a Burmese or Karen if possible.) When no Assistant Commissioner is available, then by two senior Extra Assistant Commissioners. The marks will be awarded by the committee, on examination of the written answers to the questions, and the papers will then be forwarded by the President to the Commissioner of the division with a report, who will forward them to the Chief Commisioner with his own remarks.

5. The number of marks allotted to each exercise is noted in the following table :—

No. of exercises.	No. of questions.	Exercises.	Maximum marks.	Proportion of marks.							Remarks.
				Very bad.	Bad.	Indifferent.	Ordinary.	Fair.	Good.	Very good.	
			60	,,	10	20	30	40	50	60	
1	5	Indian Penal Code, ...	60	,,	10	20	30	40	50	60	
2	5	Code of criminal procedure Act XXV of 1861,	60	,,	10	20	30	40	50	60	
3	5	Code of civil procedure Act XXI of 1866, ...	60	,,	10	20	30	40	50	60	
4	5	Revenue rules, ...	60	,,	10	20	30	40	50	60	
5	5	Surveying, ...	30	,,	5	10	15	20	25	30	
		Total.....	270	,,	45	90	135	180	225	270	

6. Each candidate, in order to pass, must obtain at least two-thirds of the aggregate number of marks allotted for the entire examination, and must obtain in each separate branch not less than one-third of the marks allotted to that branch.

7. Those who obtain not less than two-thirds, but not more than seven-ninths, will be returned simply as "passed;" more than seven-ninths, up to eight-ninths inclusive, as "passed with credit;" more than eight-ninths, as "passed with great credit."

Marks obtained from 180 to 210 passed.
" " " 211 to 240 passed with credit.
" " " 241 to 270 passed with great credit.

The Commissioner of the division will, for each examination, specify the time to be allowed for delivering in answers. If within the time so allowed the answers are not ready, the candidates will be returned as "not passed."

9. Sould the answers of any candidate not obtain the number of marks required, the Commissioner of the division may allow him a further period of six months to prepare for a second examination. Should he fail to pass then, he must vacate his appointment.

10. The Karen Myo-okes in Toung-oo and in parts of the Tenasserim division, are exempted for the present, and it will not generally be necessary for Myo-okes in any hill townships or tracts to pass an examination. These rules are only applicable to persons appointed to be Extra Assistant Commissioners of the third class, or Myo-okes.

RULES

FOR THE DISPOSAL OF DEAD BODIES IN THE CHIEF TOWNS OF BRITISH BURMA.

Dated 18th September 1865.

1. In cases of dead bodies found, and in cases of sudden, unnatural, or suspicious deaths, the Police officer to whom it first becomes known will immediately report thereon to the nearest station house, from which place a guard will be placed over the body, and an immediate report made to the Inspector of the division. This guard must be maintained until the body is removed.

2. The Inspector will make an immediate personal report to the Magistrate and abide by

his orders, reporting at the same time to the Assistant or Superintendent of Police.

3. Should the Magistrate decide at once to see the body, the Inspector will accompany him; should the Magistrate be unable to proceed at once, he will direct an examination to be made by the Medical officer, during which the Inspector must be present. In either case he will then take down a minute description of the body, the position in which it is found, any wounds or injuries that may be discernable, and gain as much information as possible regarding the circumstances attending death.

4. Under all circumstances the Inspector must be present when the Magistrate views the body, and he shall apply to the Magistrate for instructions as to its disposal.

5. Long exposure of the body is to be avoided, and it is the duty of the Police when this may appear likely to occur, to apply to the Magistrate for permission to remove it to the dead house attached to the dispensary. Until orders have been granted by the Magistrate, it should be preserved as much as possible in the position in which it was originally found.

6. The following form will be entered at the bottom of the memo. which is sent to the Civil Surgeon in case of forwarding dead bodies for examination :—

Name of deceased.	Rank, calling or occupation.	Cause of death.	Date of death.	Religion.

The 1st, 2nd, 4th and 5th columns should be filled up if possible when the memo. is sent, it being understood that no delay in submitting the

body for examination be allowed to arise therefrom. And if the information cannot at once be furnished, it is the duty of the Police immediately to make diligent inquiry for the particulars required, and to communicate them to the Medical officer.

7. It is the duty of the Police Inspector to be present at the hospital when the post-mortem examination is made, (not necessarily in the dissecting room) with the manifest object of obtaining the earliest information as to the cause of death.

Should more important duties prevent the Inspector being present, he must direct an intelligent subordinate Police officer to be there, ready to bring the report as soon as the examination is over.

It being understood that this latter course be looked on as exceptional, and that except on emergent occasions, the Inspector is to be present in person.

8. At the conclusion of the post-mortem examination, there should be placed before the Civil Surgeon making the same.

1.—The usual printed form of post-mortem examination report.

2.—If the subject is a Christian, a form of certificate of cause of death—as given in para 6. These the Civil Surgeon should fill in and give over to the Police officer in attendance.

9. The Police officer should hand the first of these to the Magistrate, and the second to the clergyman or other person performing the burial service, as a voucher from which the entry in the burial register is to be made.

10. The body should on the conclusion of the Surgeon's examination be made over, if so desired, to the friends or relatives of the deceased, or

if a pauper and no one to bury him, the Police should arrange for the burial of the defunct in a decent but inexpensive way. The Magistrate, on the production of the voucher, paying over to the Police the amount of the expense, and charging it to either the municipal fund or the Government, as appears proper in each case.

GRANT-IN-AID RULES.

Rangoon, 15th November 1865.

The following revised rules for grants-in-aid in Bengal have been sanctioned by letter from the Secretary to the Government of India, home department, No. 2170, dated 22nd August 1864, as applicable to British Burma, with the exception of those printed in italics, which are subject to modification according to the circumstances of each school for which a grant may be sought :—

The local Government, at its discretion, and upon such conditions as may seem fit in each case, (reference being had to the requirements of each district as compared with others, and to the funds at the disposal of Government,) will grant aid in money, books, or otherwise, to any school under adequate local management, in which a good secular education is given through the medium either of English or the vernacular tongue.

2. In respect of any such school for which application for aid is made, full information must be supplied on the following points :—

Firstly.—The pecuniary resources, permanent and temporary, on which the school will depend for support.

Secondly.—The proposed monthly expenditure in detail.

Thirdly.—The average number of pupils to be instructed, specifying boys and girls.

Fourthly.—The persons responsible for the management.

Fifthly.—The nature and course of instruction.

Sixthly.—The number and salaries of Masters and mistresses.

Seventhly.—The nature and amount of aid sought.

Eigthly.—The existence of other schools receiving aid within a distance of six miles.

3. Any school to which aid is given, together with all its accounts, books, and other records, shall be at all times open to inspection and examination by any officer appointed by the local Government for the purpose. Such inspection and examination shall have no reference to religious instruction, but only to secular education.

4. The Government will not interfere with the actual management of a school thus aided, but will seek, upon the frequent reports of Inspectors, to judge from results whether a good secular education is practically imparted or not; and it will withdraw its aid from any school which may be, for any considerable period, unfavorably reported upon in this respect.

5. In giving grants-in-aid, the following principles will be observed :—

(*a*) The Government will always endeavour so to give its aid that the effect shall not be the substitution of public for private expenditure, but the increase and improvement of education.

(*b*) *Grants will be given to those schools only (with the exception of normal schools and girls schools) at which fees of reasonable amount are required from the scholars.*

(*c*) In no case will the Government grant exceed in amount the sum to be expended on a school from private sources.

(*d*) For schools educating up to the university entrance standard, the Government grant will not, as a rule, exceed one-half of the income guaranteed from local sources.

(*e*) *For other schools in which the expenditure is more than rupees thirty per mensem, the Government grant will not, as a rule, exceed two-thirds of the income guaranteed from local sources.*

(*f*) The proportional amounts above laid down for Government grants are *maximum* amounts; and must not be assumed that the *maximum* will, in all cases, and as a matter of course, be sanctioned.

(*g*) The conditions of every grant will be subject to revision periodically, at intervals of five years, commencing from the date of sanction.

6. It is to be distinctly understood that grants-in-aid will be awarded only on the principle of perfect religious neutrality, and that no preference will be given to any school on the ground that any particular religious doctrines are taught or not taught therein.

The following clause of the rules for grants-in-aid for building purposes in the Madras Presidency are, under the authority of Government, conveyed in letter No. 2857, dated the 21st September 1864, made applicable to British Burma :—

4th. That in the event of any building, towards the erection, purchase, enlargement or repair of which a grant may have been made by Government, being subsequently diverted to any other than educational purposes, the Government shall have the option of purchasing the building at a valuation to be determined by arbitrators, credit being given for the amount of the grant which may have been made by Government.

RULES

FOR PROPOSED SCHOOLS IN THE INTERIÔR PROME DISTRICT, FOR INSTRUCTION IN LAND MEASURING.

Dated 7th February 1866.

1. Schools for the instruction of Thoogyees, their sons, nephews and others, in land measuring, will be established at Thayetmyo, Yuatong, Kama, Mendoon, Shwé-dong, Padoung, Nyoung-benzeit, Pamathing, Engmah, Poungday, and Pouk Koung, as well as at the sudder station of Prome.

2. Each school will be conducted by a well known land measurer, as master.

3. The schools to be opened from the beginning of June to end of October in each year.

4. The masters to be paid out of the 5 per cent. cess, at the rate of 45 rupees per month, during the time the school is open.

5. The school to be under the supervision of the Assistant Commissioner and Myo-okes, who will inspect the school weekly, entering their remarks in a book to be kept for the purpose, sending a monthly report of the progress of the school to the Deputy Commissioner of the district, who will inspect them himself as opportunity offers.

6. The schools being established primarily for the instruction of the Thoogyees, their sons and nephews, all other persons attending will pay a fee of one rupee monthly.

7. Land measuring, arithmetic, and preparation and keeping of revenue returns will be taught in these schools.

8. No Thoogyee who has passed in land measuring, or who is above 30 years of age, will be required to attend.

9. A register of all pupils to be kept, and their progress report submitted monthly through the Myo-oke or Assistant Commissioner.

10. The school to be held in some zayat or other building that may be available; books for the use of the master will be supplied by the Deputy Commissioner, to be returned at the end of session.

11. At the end of session, such pupils as may pass a successful examination will receive a certificate from the Deputy Commissioner.

12. A special report on the working of all the schools will be submitted at the close of the session, with list of scholars, to the Chief Commissioner.

MEMORANDUM

BY THE CHIEF COMMISSIONER OF BRITISH BURMA, ON THE ISSUE OF MARRIAGE LICENSES, UNDER ACT V OF 1865.

Dated Rangoon, 1865.

In the licenses which are granted by the Chief Commissioner, under part 5 of Act V of 1865, authorizing certain persons to grant certificates of marriage, it is important that the following points should be fully understood:—

First.—Those licenses only give authority to issue certificates of marriage between *Native Christians.*

Second.—No other class of persons, such as East Indians, Europeans, &c., can be married by persons under authority of the said licenses.

Third.—The conditions in section 48 of the Act must be complied with, and the register book re-

quired by section 51 in form accompanying, be established and kept up. A certificate is to be given in the same form. A translation in the vernacular language of each licentiate should be made of the whole of part 5 of the Act, in order that he may know his duties and obligations.

Attention is also called to section 39 of the Act, which applies to registers under part 5.

Form of register of marriage under part 5 of Act V of 1865, by
appointed to grant certificates of marriage from the village of circle of
in the district of in British Burma.

Signature of the licentiate.

Name of man and his age.	Name of woman and her age.	Date when certificate granted.	Race of the man.	Race of the woman.	Place where the certificate granted.	Names of two persons present when certificate granted.

Each person is to receive a certificate in this form from the licentiate.

RULES

TO BE OBSERVED BY TRAVELLERS PUTTING UP AT THE TRAVELLERS BUNGALOW, RANGOON.

Dated Rangoon, 6th July 1865.

Charges.

1. It having been ruled that the bungalow shall be supported entirely by local funds, the Chief Commissioner has been pleased to direct that the following charges be made for the use of each suite of rooms, viz :—

		R.	A.	P.
For 6 hours and under	... ...	„	8	„
Over 6 „ „ „ 12 hours	...	„	12	„
Over 12 „ „ „ 24 „	...	1	8	„

2. That half the amount of the last charge, or annas twelve, be levied from conductors, and all warrant and non-commissioned officers and serjeants in military employ (other than regimental) for each day or portion of a day, but that the same charges as above be made for any portion of the first days residence.

3. Every one making use of the bungalow is required to sign the register on first entering, setting down the date and hour of arrival, and also that of departure on leaving.

4. Any one having resided for three days shall vacate in the event of the rooms being required by a new comer, provided that there be no other accommodation available, and that the person so requiring is entitled to the use of the bungalow, and in no case will any one be permitted to occupy any suite of rooms over fifteen days, except in the event of severe illness.

Penalties for breach of rules.

5. Any one wantonly disfiguring, or in any way injuring the furniture, walls or any portion of the building, ground or out-houses, shall be lia-

ble to a fine not exceeding one hundred rupees, and in the event of the buildings or any portion thereof being destroyed by fire through the culpable mischief, neglect or carelessness of an occupant, he (or she) shall be made to suffer the full penalty of the law.

6. Any one guilty of misconduct (such as drunkenness, disturbing and annoying other occupants, &c., &c.) or breach of any of these rules, shall be liable to be summarily ejected.

Peons' duties.

7. It is the duty of the peon in charge of the bungalow to bring to the notice of the authorities any such misconduct or breach of rules.

8. The peon in charge shall not demand any gratuity for his services, and is bound to attend to the wants and comfort of the occupants. It is to be understood, however, that he is not to be sent on any distant errands, his presence being at all times required at the bungalow.

9. A waterman and sweeper will always be provided, on application in writing, by the peon, at the expense of the person applying for them, which together with the charges for the bungalow, are to be paid to the peon in charge.

Complaints how and to whom made.

10. All complaints against the attendants regarding the want of proper attention to the comfort of travellers, cleanliness, &c., &c., are to be addressed in writing to the cantonment Magistrate.

RULES

FOR THE WORKING OF STAMPING MACHINES IN BRITISH BURMA.

Rangoon, 25th November 1866.

1. On every working day at 3 P.M., the Assistant Commissioner or Extra Assistant Commissioner, (or in their absence the Deputy Commis-

sioner) in charge of the stamping machine, will receive papers for impressment. On presentation of a chelan receipted by the bank for the amount of duty paid into H. M.'s treasury, he will impress the stamps required. The chelan to be made out in the Deputy Commissioner's office, signed by the Assistant Commissioner, and then taken to the bank.

2. The officers in charge of stamping machines at Maulmain and Akyab, will only impress stamps on receipt of receipted chelans for the duty, and on two days only in the week; the said days to be fixed by the Commissioner of division.

3. The officer in charge of the stamping machine will invariably, before affixing the stamps, enter the transaction in the prescribed form of register in his own hand.

4. All blank papers impressed, above the value of one rupee, shall bear the attestation of the officer in charge of the stamping machine. This rule does not apply to printed forms.

5. On presentation of spoilt stamps, they will first be entered in the prescribed form of renewal register, and thereafter stamps to a like value will be impressed on paper furnished by the applicants. Officers in charge of stamping machines will take especial care in refusing to allow spoilt stamps. The transactions and registers of the same should be kept distinct.

6. At the end of each year the registers of impressed stamps and of renewals of spoilt stamps will be made over to the Head Accountant, for the preparation of the annual accounts.

7. The dies will always, when not in use, be under lock and key, the said key being always in the possession of the Deputy Commissioner, Assistant Commissioner, or Extra Assistant Com-

missioner in charge of the machine, who will also *personally* superintend the impressment of stamps, *allowing* no access to the dies, except in their presence.

PROVISIONAL RULES

FOR THE GUIDANCE OF HEALTH OFFICERS.

Dated Rangoon, 14th March 1866.

Duties of health officer.

1. The Civil Surgeon is *ex-officio* the health Officer. His duties do not extend beyond the limits of the town and station for which he is appointed.

2. For the present, and while no special establishment is available, the duties of the health Officer will be confined to bringing to the notice of the Magistrate, or of the Police, such instances of breaches of the law connected with the public health as he may deem advisable.

3. The state of the public drains, of latrines, of the public markets, and the provisions sold therein, the slaughter houses, the supply of water for drinking and otherwise, and the manner in which the conservancy officers do their duty, will occupy his attention, and he will promptly take measures regarding them, or any other points he considers necessary, in the manner provided in rule 2.

4. All cases of infectious disease, whether in the town or shipping, should be promptly brought to notice, and his recommendation thereon made to the Magistrate.

5. In the case of cholera, he should report forthwith whether he recommends that medicine should be distributed at the Police stations and other houses, for immediate use, or any other measures adopted.

6. All letters and references by the health Officers will be made through the town Magistrate.

7. At the close of the official year, he will make a report on the health of the town, and on the measures which he has taken during the year either to prevent or to check disease, or to bring to notice breaches of sanitary rules, together with the results.

8. It of course is understood, as already ordered, that the remarks upon the birth and death returns are to be separate from the health report.

RULES

FOR THE REGISTRY OF BIRTHS AND DEATHS IN BRITISH BURMA.

8th August 1865.

1. In each quarter of a town where a goung exists, he will be responsible for recording the births and deaths in the forms of register annexed, (Nos. 1 and 2). He should be supplied with a register duly ruled for the purpose.

2. In each town where a registering clerk is allowed and paid, that clerk should go round himself each quarter daily in rotation, and collect from the goungs their records.

3. In large towns, and where sufficient funds exist, the clerk may be allowed a piada to assist in this work. The piada taking some quarters in rotation and making the entries.

4. From the original returns furnished by the goungs, the registering clerk will frame the registers of the births and deaths daily, and this will be kept in the Magistrate's office.

5. At the end of each month the figures should be added up and inspected, and countersigned by the Magistrate or Deputy Commissioner, as the case may be, and an abstract thereof in English should be sent to the Civil Surgeon for that officer's information.

6. Both the Deputy Commissioner and Magistrate, and the Civil Surgeon, should occasionally take such measures as they deem fit to check or test the daily statements.

7. At the close of the official year the prescribed forms will be filled in, and submitted by the Deputy Commissioner or Magistrate through the Commissioner, to the Chief Commissioner's office. The Commissioner may however, if he deems it advisable, have the returns sent to his office more frequently.

No. 1.

Register of births within the town of
district of for the month of 186

Name of quarter of town or street where birth occurs.	Name of father and mother of child born.	Sex of child.		Date of birth.	Race of parent.
		Male.	Female.		

NOTE.—Still-born births to be entered in both registers under the same date.

No. 2.

Register of deaths within the town of
district of for the month of 186

Name of the quarter of town or street where death occurred.	Name of person and of father and mother.	Date of death.	Age of person.	Sex of person.		Race of person.	Name of person.	Supposed or ascertained cause of death.
				Male.	Female.			

RULES

FOR THE MANAGEMENT OF THE RANGOON GENERAL DISPENSARY.

1. That Europeans and natives shall be received into the Rangoon general dispensary, on a requisition from any subscribing householder, and a guarantee for the payment of all expenses incurred, at a certain charge per diem for subsistence.

2. That Europeans and natives in distress shall be received gratis, and remain so long as may be considered necessary by the medical officer in charge.

3. That all vessels visiting the port of Rangoon shall have the option of sending their sick into the Rangoon general dispensary for treatment.

4. That any Commander of a vessel in port sending one or more sick into the dispensary, shall pay an entrance donation, according to tonnage, as follows :—

Below and up to 300 tons	10	rupees.
Above 300 and up to 600 tons... ...	15	„
Above 600 and up to 1000 tons... ...	20	„
Above 1000 tons	25	„

and this donation must be sent at the time application is made, in the manner hereafter to be mentioned, for his or their admission; and this donation is to be considered as holding good for 12 months and no more.

5. That application for the admission into the dispensary, of any sailor or sailors, must be made through the agent or agents of the vessels, accompanied by a guarantee from him or them, for payment of all expenses, on account of any sailor or sailors of the said vessels.

6. That 48 hours notice shall be given by the agent or agents, of the intended departure of any vessel, from which sailors have been sent into the dispensary, failing which the agent or agents shall be held responsible for the payment of all charges incurred.

7. That the above notice shall be addressed to the "Medical officer in charge of the dispensary," at the dispensary, and to this Officer all communications whatever must be also addressed.

8. That should any sailor or sailors be too ill to join his or their vessel, on its leaving the port, the agent or agents shall guarantee to defray all such expenses as may be incurred on account of the sailor or sailors so left behind, or discharged from the vessel.

9. That bedding, hospital clothing and furniture, shall be provided by the institution.

10. That insubordination, or misconduct of any kind in any patient, shall render him liable to immediate dismissal from the hospital, provided such dismissal is not likely to endanger life—his admission being on the understanding that he will conform to the rules framed for the internal government of the instituion.

11. That the following rates of subsistence money, exclusive of wine or beer—shall be charged :—

Mates of vessels, and Europeans in that sphere of life	1 rupee 8 annas per diem.
European sailors, and other Europeans in that sphere of life	1 rupee per diem.
Native sailors, and other natives ...	8 annas per diem,

Pauper patients.

1. That all Europeans and natives in distress shall be admitted into the Rangoon general dispensary, gratuitously, on a requisition from any subscribing householder, declaring the individual to be in distress, provided the medical officer in charge considers the case requires treatment, as an in-door patient; if otherwise, he will be borne on the books as an out-door patient. Domestic servants in employ will not be admitted as paupers.

2. That the charges for pauper patients shall be included in the judicial contingent bill or bimonthly abstract of the town Magistrate, who will disburse the same to the Superintendent of the dispensary; a separate account being kept for paying patients.

3. That there shall be a separate ward for women and children, having no communication with the general and marine wards.

4. That a committee of audit and general purposes be chosen as follows :—

The Deputy Commissioner, as President, The Magistrate (for the time being), The Protestant Chaplain (for the time being), The Catholic Chaplain (for the time being), The Civil Surgeon (for the time being), And two gentlemen chosen from the mercantile firms in Rangoon.	MEMBERS.

5. The Sub-Assistant Surgeon in charge of the Rangoon general dispensary resides at the dispensary, and attends to the out-patients daily at 8 A. M.

6. That one of the members of the committee in rotation will be nominated, at each monthly meeting, as visitor for the ensuing month. He will occasionally visit the dispensary, during his tour of duty, and will enter any remarks that may occur to him, in the visitor's book, kept for that purpose in the dispensary, and which will be submitted to the committee at each meeting.

RULES

FOR THE MANAGEMENT OF THE MAULMAIN GENERAL HOSPITAL.

1. European and native seamen are admitted into the general hospital on their bringing a requisition for their admission according to the accompanying Form 1, signed by the Master or mate of the vessel, with a reference accepted by a house of agency at Maulmain, or by the Master of the ship, for the discharge of their expenses. Europeans and natives will be admitted to the benefit of the institution on producing a guarantee (Form No. 1) for the expenses in hospital, signed by an approved resident house-holder.

Form No. 1.

To the Civil Surgeon, Maulmain,

Sir,—Please to receive into the general hospital, for medical treatment. All expenses I shall willingly defray.

Date (Signed) A. B. B.

2. European and native sick, not belonging to the public service, whether male or female, who may be destitute and labor under diseases requiring treatment in hospital, are received into the general hospital at the expense of Government.

3. Persons of the above description desirous of being admitted into the general hospital, will apply for that purpose at the hospital, where they will be immediately examined by one of the assistants attached to it, and admitted, if necessary.

4. There is a dispensary attached to the institution for the purpose of supplying medicines to indigent patients, who will receive advice and medicines gratis, by presenting themselves at 7 o'clock in the morning.

5. European and native sick who are able to defray the expense incurred by their remaining in hospital, are charged according to the accompanying rates per day, for such time as they remain in hospital.

1. Commanders of vessels and Europeans in that sphere of life,	rupees 2 per diem.
Mates of vessels and Europeans in that sphere of life,	rupees 1-8 per diem.
European seamen, ...	...1 rupee per diem.
Native seamen and other natives,	...8 annas per dien.

2. Every vessel sending one or more patients to hospital will pay a donation according to tonnage, viz.

500 Tons and under	...rupees 10.
Tons 500 to 1000 and over ...	...rupees 20.

In addition to the ordinary daily charges.

6. Natives paying their 8 annas a day, who may be debarred by prejudice of caste from partaking of the diet furnished by the hospital, shall receive a compensation of two annas, in lieu of diet.

Hospital bills how paid.

1. All bills for expenses incurred at the general hospital, will be presented regularly for payment on or before the 15th of each month.

2. If any hospital bills are required before the sailing of a vessel, by the agents, with the view of closing their accounts, two days previous intimation must be given to that effect.

3. All correspondence having reference to the above, to be addressed to the apothecary at the institution.

5. If any seaman, from severe illness or other cause is unable to proceed to sea with his vessel, a deposit of one month's hospital expenses to be made by the agent or commander.

6. Previous to the departure of a ship from Maulmain, the commander, on application at the general hospital, will be furnished with the annexed certificate, to enable him to obtain his port clearance.

Form No. 2.

Certified that there are no demands against the ship

Date (Signed) A. B.

Apothecary, general hospital.

SALE OF MEDICINES TO THE PUBLIC AT MAULMAIN.

Preamble.

Consequent on the closing of the private dispensary in the town in August 1863, the Chief Commissioner British Burma was pleased to sanction the issue of medicines (to those not entitled to receive them gratuitously) on payment.

General rules.

1. Medicines will be issued on the prescription of a medical officer, or on parties applying at the dispensary.

2. Medicines are not to be supplied in bulk, for example, no one will be entitled to demand an ounce of rhubarb, or an ounce of calomel or of tartar emetic.

3. The system of credit will not be allowed, all medicines will be paid for on delivery, according to the printed tariff attached.

4. Phials, bottles, pots, &c., will be charged for separately.

5. All money realized for the sale of medicines to be deposited in the Government treasury, and credited to the Maulmain general hospital.

For adults.

Tariff of charges.

	ANNAS.
Single draughts	8
Mixture ... ... per dose ...	4
Drops of liquid arsenic, hydr. bichlorid, &c., ... per dose ...	2
Pills—1, 2, or 3, if one dose... ... per dose ...	3
Pills—aperient, or other of one kind, per dozen ...	8
Powders ... ... per dose ...	4
Powders, if more than 1 and not more than 4 of the same kind in 1 packet	8
Blisters, ...	12
Enemata, ...(one rupee)...	16
Lotions or injections, per 4 oz. or less, ...	8
Castor oil, per ½ pint of 10 oz. ...(one rupee)...	16
(if the same can be spared) or 1 oz.	2
Liniments ... ... per oz. ...	6
Poultices, common, with bandage	4
Dressing wounds and ulcers, generally	8
Camphor, jalap, goulard wash, and such like ... ... per 8 oz. ...	4
Simple ointment, Turner's cerate or resin ointment ... ... per oz. ...	6
Mercurial ointment, iodine and other expensive ointments ... ... per oz. ...	12

For children under 12 years of age, one-half of the above charges for draughts, mixtures, powders, pills, blisters and enemata.

It is distinctly to be understood that only ordinary medicines are to be supplied at these rates, and that prescriptions composed mainly of quinine, morphia, nitrate of silver, Sarsaparilla, or any other expensive drug, will be charged for at the discretion of the Superintendent of the dispensary, at double rates.

RULES

FOR THE AKYAB GENERAL HOSPITAL.

22nd January 1864.

1. European and native seamen are admitted into the general hospital on their bringing a requisition for their admission according to the form 1, signed by the Master or the mate of their vessels, with a reference accepted by a house of agency at Akyab, or by the Master of their ship, for the discharge of their expenses. Europeans and natives will be admitted to the benefit of the institution on producing a guarantee (form No. 1) for their expenses in hospital, signed by an approved resident house-holder.

Form No. 1.

To the Civil Surgeon, Akyab,

Sir,—Please to receive into the general hospital for medical treatment. All expenses I shall willingly defray.

Date (Signed)

2. European and native sick, not belonging to the public service, whether male or female, who may be destitute, and labour under diseases requiring treatment in hospital, are received into

the general hospital. They will be clothed and victualled while so kept in hospital at the expense of Government.

3. Persons of the above description desirous of being admitted into the general hospital, will apply for the purpose at the hospital, where they will be immediately examined by one of the assistants attached to it, and admitted if necessary. A certificate will be prepared by the Surgeon or his assistant, for the sanction of the Magistrate in charge of the town or district, or of the Police Superintendent, and any one of their signatures is to be considered a sufficient authority for the reception of patients.

Form No. 2.

I do hereby certify that the following person having applied for assistance at the general hospital, and being carefully examined, is considered a fit object for admission, subject to the approval of the Commissioner :—

Date.	Name.	Rank or description.	Disease.	Remarks.

Countersigned by order *Civil Surgeon.*

4. There is a dispensary attached to the institution for the purpose of supplying medicines to out patients. All applicants by presenting themselves at the institution from 6 to 8½ o'clock in the morning, will receive advice and medicines gratis from the Civil Surgeon.

5. European and native sick, who are able to defray the expense incurred by their remaining in hospital, are charged according to the accompanying rates per day for such time as they re-

main in hospital. Domestic servants are to be considered as belonging to this class.

	RS.	A.	P.
Commanders of ships and Europeans in that sphere of life, ...	2	0	0
Mates of ships, ...	1	4	0
Seamen, ...	1	0	0
Natives, ...	0	4	0

6. Natives paying their four annas, who may be debarred by prejudice of caste from partaking of the diet furnished by the hospital, shall receive a compensation of two annas in lieu of diet.

RULES

FOR THE PAYMENT OF GENERAL HOSPITAL BILLS.

Hospital bills how paid.

1. All bills for expenses incurred at the general hospital will be presented regularly for payment on or before the 5th of each month, with the following exceptions:—

2. Bills against Commanders of ships for expenses incurred on account of their seamen at the hospital, may, at the option of the Civil Surgeon and on their request, be presented in one sum before the ship sails, instead of monthly.

3. If any hospital bills are required before the sailing of a vessel by the agent, with the view of closing their accounts, four days previous intimation must be given to that effect.

4. All correspondence having reference to the above to be addressed to the sub-assistant Surgeon at the institution.

5. All parties who are responsible for the payment of expenses incurred at the general hospital, refusing to liquidate them, are hereafter to forfeit all claims to the benefit of the institution.

6. Previous to the departure of the ship from Akyab, the Commander, on application at the general hospital, will be furnished with the annexed certificate, to enable him to obtain his port clearance.

Form No. 3.

Certified that there are no demands against the Ship

Date

(Signed)

BASSEIN CHARITABLE DISPENSARY, SUPPORTED BY GOVERNMENT AND VOLUNTARY CONTRIBUTIONS. ESTABLISHED IN JANUARY 1865, FOR GRATUITOUS MEDICAL AID TO THE SICK POOR.

RULES

FOR THE MANAGEMENT OF THE DISPENSARY.

Bassein, 28th February 1865.

1. That a committee of audit and management will be as follows :—

Ex-officio.

The Deputy Commissioner, President.

Members.

The Protestant Chaplain,

„ Catholic „

„ Civil Surgeon,

Two gentlemen from the mercantile firms in Bassein.

2. That the Civil Surgeon will attend at the dispensary daily at 7-30 A. M., to give gratuitous advice and medicine to the poor in attendance.

3. That a native doctor will reside at or near the dispensary to attend to applicants for relief at all hours of the day or night.

4. That the committee of management will meet at the institution on the 1st Tuesday in every month, at 7-30 A. M., for the audit of accounts and other business, and will nominate one of their number as visitor for the ensuing month, who will occasionally visit the dispensary during his tour of duty, and enter any remarks he wishes in a visitors' book kept for that purpose, to be submitted to the committee at each meeting.

5. That Europeans and natives in distress will be admitted gratis, and remain as long as may be considered necessary by the medical officer in charge.

6. That bedding, clothing, furniture and all necessaries for their treatment will be provided at the expense of the institution.

7. That although the special purpose of the dispensary is to afford medical aid gratuitously to the sick poor of Bassein, its accommodation will be open to all cases sufficiently serious in their nature to require hospital treatment, it being distinctly understood that patients who are able to pay, must do so according to a scale of charges laid down in rule 12, or furnish a guarantee to that effect from a house-holder prior to admission.

8. That in the case of seamen belonging to ships in port, a donation (varying in amount with tonnage) to the fund of this charity must accompany a guarantee from the agents, not merely for the expenses incurred by such patients while their ships remain in port, but for three months afterwards, if any of them continue too ill to be removed at the time of their ships' departure. The donation, which must be sent at the time application for admission is made, and is to be considered as

holding good for twelve months and no more, will vary as follows :—

Below and up to			300	tons,	rupees	20
Above	300	to	600	„	„	30
„	600	to	1000	„	„	40
„	1000			„	„	50

9. That forty-eight hours notice must be given by the ships' agents of the intended departure of any vessel from which sailors have been sent into the dispensary, failing which, said agents will be held responsible for all charges incurred.

10. That the above notice must be addressed to the medical officer in charge at the dispensary, whither and to whom all communications whatever relating to the dispensary must be addressed.

11. That insubordination, or misconduct in a patient, shall render him liable to immediate dismissal from the institution, provided such dismissal is not likely to endanger life; his admission being on the understanding that he will conform to its rules.

12. That the following shall be the rates of charge for paying patients, exclusive of wine, spirits and beer :—

	RS.	A.	P.	
Mates of vessels and Europeans in that sphere of life	1	8	0	per diem.
European sailors and Europeans...	1	0	0	„
Native sailors and other natives ...	0	8	0	„

13. That the charges for pauper patients shall be included in the judicial contingent bill or bi-monthly abstract of the district Magistrate, who will disburse the same to the superintendent of the dispensary, a separate account being kept for the charges on account of paying patients.

RULES

FOR THE MANAGEMENT OF THE PROME CHARITABLE DISPENSARY.

1. A committee of audit and general purposes is constituted as below:—

I. Ex-officio.

The Deputy Commissioner of Prome, as President.

The Superintendent of Police.

The Extra Assistant Commissioner.

The Civil Surgeon, as Secretary and Treasurer.

II. Non-officials.

Any two subscribers (Europeans or natives of Burma or India) who may be chosen as members by the votes of the other members of the committee.

2. The committee will assemble at the institution ordinarily once a month, (first Tuesday), for the accounts and transaction of other business, three to form a quorum.

3. A record will be kept of the proceedings held at each meeting, which should be signed by those present.

4. The accounts are to be balanced every month, shewing the amount of cash in hand. These, together with such half yearly and annual statements, as may be required by Government, should be made out by the *ex-officio* Secretary, who will keep copies of the same, and of such letters, bills, reports, returns, &c., as he may have from time to time to prepare.

5. One of the resident members of the committee in rotation will be nominated at each meeting as visitor for the ensuing month. He will occasionally visit the dispensary during his tour of duty, and will enter any remarks that

may occur to him in the visitors' book kept for that purpose in the dispensary, and which with the accounts will be submitted to the committee at each meeting.

6. The Civil Surgeon being *ex-officio* medical superintendent of the dispensary, will attend daily at the dispensary, for the examination and reception of patients, at such hour as may be fixed by him, any change therein being notified for public information.

7. The native doctor will reside at or near the dispensary, so as to attend to applicants for relief at all hours of the day or night.

8. Patients will be classed as below :—

1.—Out-door dispensary patients.

2.—In-door hospital patients, viz.—

a. Pauper.

b. Paying.

9. All persons applying for advice or medicine at the dispensary in person, will receive such gratis from the Civil Surgeon as out-door patients.

10. Sick Europeans and natives, whether male or female, (not belonging to the public service), who may be destitute and are laboring under diseases requiring treatment in hospital, will be received gratuitously as in-door pauper patients, and remain so long as may be considered necessary by the medical officer in charge, provided he shall certify in each case that it is one requiring in-door hospital treatment. They will be clothed and victualled while so kept in hospital, free of charge. The charges for such pauper patients will be included in the judicial contingent bill, or bimonthly abstract of the district Magistrate, who will disburse the same to the superintendent of the dispensary, a separate account being kept for paying patients.

11. Persons of the above description desirous of being admitted into the dispensary hospital, will apply for the purpose at the hospital, where they will be immediately examined by the native doctor attached to it, and admitted if necessary. The expenses incurred on account of the pauper patients, will be passed under a certificate prepared by the Civil Surgeon, with an order of admission in each case subscribed by the Deputy Commissioner or Extra Assistant Commissioner.

Form 1.

I do hereby certify that the following person having applied for assistance at the dispensary hospital and been carefully examined, is considered a fit object for admission as a pauper patient, subject to approval.

Date.	Name.	Description.	Disease.	Remarks.

The above person having been satisfactorily ascertained to be entirely destitute, will be received as a pauper patient accordingly.

(Sd.)

Civil Surgeon.

(Sd.)

Assistant Commissioner.

12. European and native sick who are not indigent and are able to defray the expenses incurred by their remaining in hospital, will be received into the dispensary hospital on a requisition from any subscribing house-holder, and a guarantee for all the expenses incurred; domestic servants are to be considered as belonging to this class.

From

To the Civil Surgeon,

Prome,

SIR,—Please to receive . into the hospital for medical treatment, all expenses I shall willingly pay.

Date (Signed)

These will be charged on account of subsistence for such time as they may remain in hospital, as follows :—

European, from 1 to 3 rupees per diem, according to their sphere of life.

Native, 8 annas per diem.

13. Bedding, hospital clothing and furniture, will be provided by the institution.

14. Insubordination or misconduct of any kind in any patient, will render him liable to immediate dismissal from the hospital, provided that such dismissal is not likely to endanger life; his admission being on the understanding that he will conform to the rules framed for the internal government of the institution.

15. Bye-rules for the internal government of the hospital will be drawn out from time to time (desirable) by the Civil Surgeon in charge, and a copy pasted in the dispensary hospital after approval by the committee.

16. Separate registers will be kept for out-door and in-door patients; and pauper patients are to be kept apart from those who pay. Separate wards in each case being provided for women and children, having no communication with the general wards.

RULES

FOR THE MANAGEMENT OF THE THAYET-MYO CHARITABLE DISPENSARY.

1. A committee of audit and general purposes is constituted as below:—

I. Ex-officio.

The Deputy Commissioner of Prome, as President.

The Assistant Commissioner, Thayet-myo.

The Civil Surgeon, as Secretary and Treasurer.

II. Honorary.

The Established Church Chaplain, Thayet-myo.
The Catholic do. do.

III. Non-officials.

Any two subscribers, (Europeans or natives of Burma or India,) who may be chosen as members by the votes of the other members of the committee.

2. The committee will assemble at the institution, ordinarily once a month, (first Tuesday), for the accounts and transaction of other business, three to form a quorum.

3. A record will be kept of the proceedings held at each meeting, which should be signed by those present.

4. The accounts are to be balanced every month, shewing the amount of cash in hand. These, together with such half yearly and annual statements, as may be required by Government, should be made out by the *ex-officio* secretary, who will keep copies of the same and of such letters, bills, reports, returns, &c., as he may have from time to time to prepare.

5. One of the resident members of the committee in rotation will be nominated at each meet-

ing as visitor for the ensuing month. He will occasionally visit the dispensary during his tour of duty, and will enter any remarks that may occur to him, in the visitors' book kept for that purpose in the dispensary, and which with the accounts, will be submitted to the committee at each meeting.

6. The Civil Surgeon being *ex-officio* medical superintendent of the dispensary, will attend daily at the dispensary for the examination and reception of patients at such hour as may be fixed by him, any change therein being notified for public information.

7. The native doctor will reside at or near the dispensary, so as to attend to applicants for relief at all hours of the day or night.

8. Patients will be classed as below :—

1.—Out-door dispensary patients.

2.—In-door hospital patients, viz.—

a. Pauper,

b. Paying,

9. All persons applying for advice or medicine at the dispensary in propriâ personâ, will receive such gratis from the Civil Surgeon as out-door patients.

10. Sick Europeans and natives whether male or female, (not belonging to the public service), who may be destitute and are laboring under diseases requiring treatment in hospital, will be received gratuitously as in-door pauper patients, and remain so long as may be considered necessary by the medical officer in charge. Provided he shall certify in each case that it is one requiring in-door hospital treatment. They will be clothed and victualled while so kept in hospital, free of charge. The charges for such pauper patients will be included in the judicial contingent bill or

bi-monthly abstract of the district Magistrate, who will disburse the same to the superintendent of the dispensary. A separate account being kept for paying patients.

11. Persons of the above description desirous of being admitted into the dispensary hospital, will apply for the purpose at the hospital, where they will be immediately examined by the native doctor attached to it, and admitted if necessary. The expenses incurred on account of the pauper patients, will be passed under a certificate prepared by the Civil Surgeon, with an order of admission in each case subscribed by the Assistant Commissioner of Thayet-myo.

Form 1.

I do hereby certify that the following person having applied for assistance at the dispensary hospital and been carefully examined, is considered a fit object for admission as a pauper patient subject to approval.

Date.	Name.	Description.	Disease.	Remarks.

The above person having been satisfactorily ascertained to be entirely destitute, will be received as a pauper patient accordingly.

(Sd.)

Civil Surgeon.

(Sd.)

Assistant Commissioner.

12. European and native sick who are not indigent and are able to defray the expenses incurred by their remaining in hospital, will be received into the dispensary hospital on a requisition from any subscribing house-holder, and a

guarantee for all the expenses incurred; domestic servants are to be considered as belonging to this class.

From

To the Civil Surgeon,

Thayet-myo.

SIR,—Please to receive into the hospital for medical treatment, all expenses I shall willingly pay.

Date (Signed)

These will be charged on account of subsistence for such time as they may remain in hospital, as follows :—

European, from 1 to 3 rupees per diem, according to their position of life.

Native, 8 annas per diem.

13. Bedding, hospital clothing and furniture, will be provided by the institution.

14. Insubordination or misconduct of any kind in any patient will render him liable to immediate dismissal from the hospital, provided such dismissal is not likely to endanger life; his admission being on the understanding that he will conform to the rules framed for the internal government of the institution.

15. Bye-rules for the internal government of the hospital will be drawn out from time to time (desirable) by the Civil Surgeon in charge, and a copy pasted in the dispensary hospital after approval by the committee.

16. Separate registers will be kept for out-door and in-door patients, and pauper patients are to be kept apart from those who pay. Separate wards in each case being provided for women and children, having no communication with the general wards.

RULES

FOR THE MANAGEMENT OF THE TOUNG-OO GENERAL DISPENSARY.

1. Europeans and natives will be received into the Toung-oo general dispensary, on a requisition from any subscribing house-holder, and a guarantee for the payment of all expenses incurred, at a certain charge per diem for subsistence.

2. Europeans and natives in distress will be received gratis as long as subscriptions in aid will permit.

3. Bedding, hospital clothing and furniture, will be provided by the institution.

4. Insubordination, or misconduct of any kind, in any patient, will render him liable to immediate dismissal from the hospital, provided such dismissal is not likely to endanger life; his admission being on the understanding that he will conform to the rules framed for the internal government of the institution.

5. Natives, at 4 annas per diem.

6. All persons applying for advice or medicine at the dispensary in propriâ personâ, and representing themselves to be unable to pay for the same, and nothing being known to the contrary, may have medicine or advice issued to them without payment.

7. All Europeans and natives in distress will be admitted into the Toung-oo general dispensary, gratuitously, on a requisition from any subscribing house-holder, declaring the individual to be in distress, provided the medical officer in charge considers the case requires treatment, as an in-door patient; if otherwise, he will be borne

on the books as an out-door patient. Domestic servants in employ, will not be admitted as paupers.

Charges for pauper patients will be included in the judicial contingent bill or bi-monthly abstract of the district Magistrate, who will disburse the same to the superintendent of the dispensary. A separate account being kept on account of paying patients.

9. There shall be a separate ward for women and children, having no communication with the general wards.

10. A committee of audit and general purposes is chosen as follows :—

Deputy Commissioner, President.

Members.

Protestant Chaplain.

Catholic Chaplain.

Civil Surgeon.

Two officers chosen from the cantonment.

11. The Civil Surgeon being *ex-officio* Medical superintendent of the Toung-oo general dispensary, will attend daily at the dispensary at an hour which will be fixed by him, for the examination and reception of patients.

12. One of the members of the committee in rotation will be nominated at each monthly meeting as visitor for the ensuing month. He will occasionally visit the dispensary during his tour of duty, and will enter any remarks that may occur to him in the visitors' book, kept for that purpose in the dispensary, and which will be submitted to the committee at each meeting.

RULES

FOR THE MANAGEMENT OF THE HENZADAH AND MYAN-OUNG DISPENSARIES.

1. Europeans and natives will be received into the Henzadah and Myan-Oung dispensaries on a requisition from any subscribing house-holder, and a guarantee for the payment of all expenses incurred at a certain charge per diem for subsistence. Paying patients how received.

2. Europeans and natives in distress will be received gratis, and remain so long as may be considered necessary by the medical officer in charge. Pauper patients.

3. Bedding, hospital clothing and furniture will be provided by the institution. Bedding, &c.

4. Insubordination or misconduct of any kind in any patient will render him liable to immediate dismissal from the hospital, unless such dismissal endangers his life; his admission being on the understanding that he will conform to the rules framed for the internal government of the institution. Misconduct.

5. The following rates of subsistence money will be charged :— Subsistence money.

Mates and engineers of vessels, overseers and clerks, 1 rupee per diem.

Natives, 4 annas per diem.

6. All persons applying for advice or medicine at the dispensary in *propriâ personâ* may have medicine or advice issued to them without payment. Advice and medicine given gratis to whom.

7. All Europeans and natives in distress will be admitted into the Henzadah and Myan-Oung dispensaries gratuitously on own application, or on a requisition from any subscribing house-holder, Pauper patients.

declaring the individual to be in distress, provided the medical officer in charge considers the case requires treatment as an in-door patient; if otherwise, he will be borne on the books as an out-door patient. Domestic servants in employ will not be admitted as paupers.

Expenses of pauper patients.

8. Charges for dieting pauper patients will be included in a separate bill and adjusted in the Magistrate's contingent bill.

Women and children.

9. There shall be a separate ward for women and children, having no communication with the general ward.

Committee.

10. A committee of audit and general purposes is chosen as follows:—

HENZADAH.

Deputy Commissioner, President.

Members.

Extra Assistant Commissioner.

One gentleman or respectable native of the station.

Two to form a quorum.

MYAN-OUNG.

Deputy Commissioner, President.

Members.

The Assistant Commissioner.

The Superintendent of police.

The Medical officer.

One respectable native.

Three to form a quorum.

Visits of the medical officer.

11. The medical officer in charge will attend at the dispensary daily for the examination and reception of patients, and as often during the day as his presence may be absolutely required.

LIST OF HOLIDAYS TO BE OBSERVED IN THE COURTS AND PUBLIC OFFICES IN BRITISH BURMA, NOT INCLUDING SUNDAYS.

English.			Burmese.			Remarks.
Name and nature of holiday.	Date on which holiday occurs.	No. of days holiday lasts.	Name and nature of holiday.	Date on which holiday occurs.	No. of days holiday lasts.	
Good Friday	... ...	1	New Year	3rd to 6th after waning moon of Tagoo (April) both inclusive	4	No Treasury is to be closed except on English holidays. The Treasuries should be opened for at least a portion of two days during Christmas week. *No holiday to be given to the establishments in offices where arrears of work exist.*
			Do.	Arakan division ...	10	
Queen's birthday ...	May 24th	1	Beginning of Budhist lent ...	Full moon of Watsho (July)	1	Heads of offices may grant leave to individuals of their establishments on particular local festivals which occur in some districts.
			Do.	Arakan division ...	2	
Christmas week ...	December 25th to January 2nd, both inclusive	9	Conclusion of Budhist lent	From the 14th of the waxing to the 8th of the waning of Tha-ding-gywot (October)	10	
			Do.	Arakan division ...	4	
			Tawadingtha or Tazoung-dyne... ..	Arakan division ...	4	

NOTE.—No Police Magistrate's office will ever be closed throughout an entire day.

APPENDIX.

CIRCULAR No. 199.

Dated 10th December 1866.

The Chief Commissioner has ruled, that when available, policemen shall be employed in serving processes in petty criminal cases in the Courts of British Burma.

Police when available to be employed in serving processes.

The tulabana accruing from the service of such processes in petty criminal cases, *vide* page 102, shall—when the work is performed by a policeman—be payable to the Police Superannuation fund.

The policeman serving the process is however entitled to his boat hire, as laid down in the page above quoted.

No. 151.

JUDICIAL.

SIMLA, the 9th July 1864.

Under the provisions of section 1 of Act III of 1864, being "an Act to give the Government certain powers with respect to Foreigners," His Excellency the Governor General of India in Council is pleased to authorize the Chief Commissioner of British Burma, * * * to exercise the powers vested by the above Act in a Local Government.

Powers of Chief Commissioner under Act III of 1864.

No. 456.

HOME DEPARTMENT.

26th July 1865.

The Governor General in Council is pleased to direct that in the province of British Burma, the office of the Chief Commissioner of British Burma, at Rangoon, shall, until further orders, be the

Declarations under Section 11 of Act X of 1865 to be deposited in the Chief Commissioner's office.

office in which declarations made under section 11 of Act X of 1865, shall be deposited.

No. 1506.

HOME DEPARTMENT.

15th February 1865.

Act XXII of 1864 extended to the Cantonment of Rangoon.

The Governor General in Council is pleased, under section 39 of Act XXII of 1864, to extend the said Act to the Cantonment of Rangoon, and to invest * * * * * the Cantonment Magistrate of that station with the powers of a judge of the Court of Small Causes, and with power to try suits under section 6 of the above Act, up to rupees 400, within the limits of the said Cantonment.

For the purposes of the said Act, the Chief Commissioner of British Burma is invested with the powers of a Sudder Court, as provided for in Act XLII of 1860.

No. 2918.

HOME DEPARTMENT.

17th October 1865.

The Chief Commissioner to receive reports and issue orders in cases coming under Act I of 1849.

Under section 9 of Act I of 1849, the Governor General in Council is pleased to delegate authority to the Chief Commissioner of British Burma, to receive reports and to issue orders in cases coming under that Act.

RULES

DEFINING SOME OF THE DUTIES OF THE COURT BAILIFF.

1. The Court bailiff is a ministerial officer of the Court, whose duties are conducted on both the criminal and civil sides.

2. His appointment, on vacancy occurring, rests with the Deputy Commissioner of the district to which he is attached.

3. On the appointment of a bailiff, he should personally and by sureties bind himself to make good all losses occurring through default or fraud in the discharge of his public duty.

4. He is responsible for the safe custody of all exhibits and other property handed over by the Police and the Deputy Commissioner, and will keep registers of the same. The Deputy Commissioner will provide the bailiff with a suitable lock-up room and boxes for this purpose, and for gold and silver articles and other articles of value he should also be allowed a lock-up box in the treasure room.

5. Any money paid to the bailiff, or placed in his hands, should immediately be put in deposit in the treasury, pending final Court orders.

6. Besides the monthly pay received by the bailiff, he is allowed to charge at 5 per cent. commission on all Court auction sales over and above the actual expenses of the auction.

7. Processes of Courts at the head quarters of the Deputy Commissioners will be served through the Deputy Commissioner's bailiff. At out stations the Court writer is the *ex-officio* bailiff.

8. The bailiff is responsible that all summonses, subpœnas, warrants, and other processes issuing from the Court are duly served. The peons employed by him will be paid the full amount of process money allowed by the rules, of which an account shall be kept without any deduction on his part for his own benefit.

RULES

FOR PAYMENT TO HIRED PEONS EMPLOYED IN THE DISTRICT AND SUBORDINATE COURTS FOR THE SERVICE OF CIVIL PROCESSES.

1. The peons' hire for conveying a process by land will be at the rates below given, which are never to be exceeded :—

PER DIEM.

	Pegu and Tenasserim.			Arakan.		
	Peon hire.	Boat hire.	Total.	Peon hire.	Boat hire.	Total.
By land ...	6 annas.	,,	*6 annas.	4 annas.	,,	*4 annas.
By water...	6 annas.	8 annas.	14 annas.	4 annas.	†Rs. 1-8	Rs. 1-12

In Arakan when a process is to be conveyed through wild parts of the country by land, two peons at 4 annas each are allowed.

The boat hire is chargeable only when a process has to be conveyed by water by any place not approachable by a regular ferry.

2. Ten English miles, or 5 tynes, to be calculated as one day's journey.

Time is to be allowed at this rate to go to and return from the village, and one day extra for finding the party and serving the process.

For example :—a summons has to be served at a village 25 miles distant from the Court, making there and back 50 miles. For this 5 days will be allowed, and one more for serving the summons. Total 6 days.

3. A scale of distances and charges drawn up on the foregoing calculation is to be suspended in each Court.

* Besides any actual outlay for ferries and tolls.

† This is applicable to Akyab and Ramree, in Sandoway only 8 annas charged.

4. No process-serving peon shall be paid at more than the above rates *for each journey*, notwithstanding he may have more than one process entrusted to him to serve.

5. The several Civil Judges of the district and subordinate Courts will keep an account of the money paid into Court for the service of processes and of the payments therefrom to the process-server. The balance unpaid, if any, shall be carried to the credit of Government, under profit and loss, and shall not be appropriated by the bailiff of the Court.

NOTIFICATION.

Dated 3rd May 1866.

Limits of the port of Akyab.

With the sanction of the Governor General of India in Council, it is hereby declared, that the limits of the navigable river and channels leading to the port of Akyab, made subject to Act XXII of 1855, are as follows:—

Within a radius of 12 miles seaward from the Savage light house.

NOTE TO RULE XV OF THE REVENUE RULES OF 1862, BEING RULE XVII OF 1865, REGARDING MORTGAGED LAND IN BRITISH BURMA, IS HEREBY PUBLISHED FOR GENERAL INFORMATION.

Rangoon, 6th August 1866.

Act XIV of 1859 was extended to Tenasserim by public notification on the 3rd of June 1859; and to Arakan on the 24th of February 1864. The Act therefore under section 24 thereof took effect two years afterwards in each of those divisions. In Tenasserim therefore rule 15 (now 17) of the revenue rules of British Burma did not

operate. In Arakan it had no operation after the 24th of February 1866.

In Pegu Act XIV of 1859 was introduced by section 24 of Act I of 1863. Under that section, the section number 15 of Act XIV of 1859 was not to apply to "any claim to foreclosure arising under any deed or instrument of mortgage of immovable property in Pegu" executed before the date aforesaid, (date when the Act came into operation,) but every such claim, as far as the law of limitation is concerned, was to be governed by the laws or rules then in force in the province.

For Pegu therefore it must be understood that clause 15 of section 1 of Act XIV of 1859 operates regarding mortgages effected since the 1st of May 1863 when the Act came into force; but that mortgages previous to that date would be regulated by the revenue rule 15 of the edition of 1862, which is identical with No. 17 of 1865.

CAPITATION TAX RATES, ARAKAN.

RULES.

1. Married men throughout the division under 60 years of age are taxed.

Widows do do. do.

Bachelors between the ages of 18 and 60 years.

2. All who cultivate with the plough in the plains to be taxed, according to rate prevailing in the circle wherein the cultivation is.

Akyab district. 3. The ordinary rate in this district in the plains will be, for married men rupees 5 per annum each, widowers and bachelors rupees 2-8 each. In 14 distant circles, the rates to be, for married men rupees 4, and for widowers and bachelors rupees 2 each. In 2 more distant

and less productive circles, the rates to be, for married men rupees 3, and widowers and bachelors rupees 1-8 each.

4. Khwaimees, Mroos, Khyoungthas, and all other hill tribes who cultivate toungya by means of the dâh, to be taxed; married men rupees 2, and widowers 1 rupee each per annum; bachelors to be exempt.

5. No new hill tribe or village to be called on to pay tribute, till approved by the Chief Commissioner.

Ramree district.

6. In this district in the plains, with the exception of, in the Aeng township, married men to be taxed rupees 5, and widowers and bachelors rupees 2-8 each per annum. In Aeng township, married men to be taxed rupees 4, widowers and bachelors rupees 2 each per annum.

7. All hill tribes at present paying tax, who do not use the plough, to be taxed, married men rupees 2, widowers 1 rupee each per annum; bachelors to be exempt.

Sandoway district.

8. In this district in the plains, married men to be taxed at rupees 4, widowers and bachelors at rupees 2 each per annum.

All hill tribes, Khyengs, &c., who do not cultivate with the plough, to be taxed, married men rupees 2, and widowers rupees 1 each per annum; bachelors to be exempt.

RULE

FOR TOUNGYA OR HILL PLANTATION—REVENUE RULE.

5. All toungya cultivation taxed according to measurement, will be taxed at the rate of 4 annas per acre.

Where not taxed according to measurement, the tax will be at the rate of 1 rupee per whole family, without reference to the area cultivated.

ADDITIONAL LIST OF NETS IN RIVERS AND STREAMS AND ON THE SEA BOARD IN THE PROVINCE OF BRITISH BURMA WHICH ARE LIABLE TO TAX, WITH AMOUNT OF ANNUAL TAX TO BE LEVIED ON EACH.

Names of Nets.	Name of district and rate on each description of net.
	Pegu division.
	Myan-Oung district.
Aing dan paik, ...	Rupees 5 per annum.

RULES

FOR THE VENDING OF COMMERCIAL AND JUDICIAL STAMPS IN THE PROVINCE OF BRITISH BURMA.

Dated 10th February 1866.

In supersession of previous orders on the subject, the Chief Commissioner directs the adoption throughout British Burma of the following rules relative to the vending of commercial and judicial stamps :—

1. At the head quarter station of each district, non-official vendors are, if procurable, to be licensed; but official vendors may be permitted at head quarter and small stations in the interior, provided non-official vendors decline undertaking the duty of vending the stamps.

2. As regards value, commercial and judicial stamps are to be sold on payment to vendors in no quantity less than 25 rupees worth at any one time, no broken quantity between rupees 25 and 50, or between rupees 50 and 100; above 100 rupees the sale should be in hundreds and not in fractional parts of a hundred.

3. To official and non-official vendors a discount will be allowed of 3 per cent. on judicial, and of 4 per cent. on commercial stamps at the time of purchase in stamps but not in money.

RULES

FOR SLAUGHTERING CATTLE IN MAULMAIN.

A building to be erected and paid for out of the Municipal funds, the site to be fixed upon by the Magistrate and Health officer, subject to the approval of the Commissioner.

No animals killed for sale to be slaughtered in any place other than the slaughter-houses.

A fee to be paid for each animal slaughtered as follows :—

Bullocks and buffaloes, ...	...1 rupee.
Calves and pigs, ...	...8 annas.
Sheep and goats, ...	...4 do.
Kids, ...	...2 do.

Animals to be killed only between the hours of 3 and 7 P. M.

The Conservancy officer to be in attendance, and to inspect all animals previous to their being slaughtered.

When an animal is passed by the Conservancy officer, it will be at once slaughtered.

A register will be kept shewing the name of the person bringing the animal, and a description of the animal brought.

A ticket to be given to the person bringing the animal when it has been passed, containing a description corresponding with the entry in the register; the ticket must be produced by the person selling the meat in the bazaar.

No meat, except game, to be sold in the bazaar which has not been inspected and for which a ticket has not been received.

When an animal is rejected, entry will be made in the register giving reasons for rejection.

The fee for slaughtering to be paid when the animal brought for slaughter has been passed, and previous to its being slaughtered.

The Conservancy officer to receive the following fees out of the amounts paid :—

1 anna for each bullock or buffaloe.

½ anna for each calf or pig.

¼ anna for each sheep, goat or kid.

Two peons also to be entertained and paid for out of the fees for slaughtering; it will be their duty to keep the house thoroughly clean and to assist the Conservancy officer.

Any breach of these rules to be punishable with a fine not exceeding 100 rupees.

ADDITIONAL RULES.

Tickets to be printed and to be issued weekly from the Magistrate's office to the Conservancy officer, who will account for what he receives before he gets another supply.

Butchers or others receiving tickets for approved slaughter cattle, will return the tickets the following day to the Conservancy officer, or on the next occasion of their returning to the slaughter house. No new tickets to be issued till the old ones have been returned, all such returned tickets to be delivered by the Conservancy officer to the Magistrate and destroyed.

RATES

OF FREIGHT AND PASSAGE ON BOARD GOVERNMENT VESSELS, FROM RANGOON OR MAULMAIN, TO PORT BLAIR AND VICE VERSA.

FREIGHT.

On goods over one cwt. at...	...rupees 20 per ton.
On specie	...¼ per cent.
Cattle and horses	...rupees 20 per head.
Sheep or goats	...rupees 2 per head.

For a single package under one cwt. rupees 2.

PASSAGE.

Cabin...	...rupees 30	Without diet.
Quarter deck	„ 15	
Deck	„ 5	

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